

Rockville Woman, Son Found Dead; No Clues To Murderer

Daily Clintonian Crime & Criminals (Ind.)
1-12-76

The search for the killer, the murder weapon and motive in the Friday night fatal stabbing of a Rockville woman and her four-year-old son continued today with a state police detective reporting no new leads in the investigation.

State Police Detective Jerry Statler said today, the husband of the murdered woman is not a suspect in the slaying of his wife, Christine Ann Norton, 26, a third grade Montezuma teacher and their son, Brett C. Norton.

Referring to rumors and innuendoes Donald Keith "Chet" Norton, 26, might be responsible for the stabbings, Detective Statler said "we have no reason to believe the husband was involved. He is not a suspect."

Norton told police he discovered his wife and son's bodies 4 a.m. Saturday. Both had stab wounds to the heart and lungs.

Mrs. Norton's body was found in the bedroom where police

believe she was changing clothes when she was slain. The boy was found in an adjacent bedroom, in his pajamas, in bed.

Norton told police he returned home from Montezuma about 4 a.m. after visiting taverns. He said he took his family to a Clinton restaurant for dinner Friday night and returned them to their Rockville home at about 8:30 p.m.

Coroner Dr. Frank Swaim, Parke County, has affixed probable time of death at between 9-10 p.m., Friday.

Dr. Swaim said today he believes a long bladed knife, either a hunting or butcher knife, was the murder weapon. He contention is based on the depth of the stab wounds.

The child was stabbed three times. The knife struck the aorta of his heart, he said. Mrs. Norton had four or five stab wounds on her chest and one on her left arm.

The arm wound and wounds on her hand indicate she may have tried to ward off the attacker, the doctor said. She was stabbed in her heart and lungs.

Judging from blood found in the boy's bed, the coroner believes the child was killed in his bed and not in another room as earlier reports indicated.

"The strange thing was there wasn't blood scattered or splattered anyplace," Dr. Swaim said. He said no attempts to clean the area were apparently made by the attacker.

The fatal stabbing is the first Dr. Swaim recalls in the three years he's served as coroner for Parke County.

Statler said investigators had traced Norton's whereabouts "through the night and we know exactly where he was."

Completed on Page 8
Column 3

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Community Affairs File

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over



MOTHER, SON MURDERED - The dead bodies of Mrs. Christine Norton, 26, Montezuma teacher and her four-year-old son, were found in their modest home in Rockville, early Saturday morning, by her husband, when he returned at about 4 a.m. Intense investigation by authorities has failed to produce a single clue to the slayer. Mrs. Norton is shown in the inset at the left. (Photo courtesy of Rockville Republican.)

No Suspects Yet In Brutal Double Slaying At Rockville

1-12-76
Rockville Republican
The doors of most Rockville homes have been locked tight for two nights now as the killer or killers of a young Parke County school teacher and her four-year-old son remains on the loose.

The brutal murders of 26-year-old Christine Ann Norton and her son Brett sent a shock wave through Parke County, Saturday, when news of the double stabbing became known.



MRS. NORTON

The bodies were found by the husband and father of the victims, Donald K. (Chet) Norton, 26, at their home at 213 North Virginia Street in Rockville. The home was rented from Donald Paddock. Parke County Coroner Frank Swaim placed the time of death between 8:30 and 10 p.m. Friday.

Norton reported the incident to the Parke County Sheriff's Department. Cooper said Norton told him that he had taken his wife and son to dinner at Clinton and brought them back to Rockville around 8:30 p.m. Norton left the two at the house and went to Montezuma. He

came back to Rockville around 4 a.m. Saturday and discovered the bodies.

Mrs. Norton was found in the front bedroom of the house. Dr. Swaim said she died from multiple stab wounds to the heart and lungs. He said she had five or six knife wounds in the chest near and in the heart. Her son was found in the back bedroom with three knife wounds. He died of stab wounds to the heart and lungs. He was their only child.

Mrs. Norton was clad in her underclothes, but there is apparently no evidence to indicate sexual molestation. The sheriff's department theorized she might have been changing from street clothes when attacked. Her dress was hanging in a closet. Her son was clad in pajamas.

Among Mrs. Norton's stab wounds were some on her left arm, giving investigators the impression that she probably tried to defend herself from the vicious knife attack.

Dr. Swaim said the murder weapon must have been fairly long since one wound on the boy was completely through his body. Dr. Swaim also said that there was no widespread deposits of blood and not much around the bodies. He noted as being unusual the lack of scattered blood and the death dealing accuracy with which the knife was used.

A massive hunt for the murder weapon and other evidence was launched Sunday. Dozens of men from the sheriff's department, Rockville City Police, Vermillion County Sheriff's Department, Rockville Fire Department Rescue Squad and other volunteers joined in seeking clues in the case. The men walked U.S. 36 to "Signal Hill" and went to "Dailey Hill" on U.S. 41. In

addition to a sight search, a metal detector was brought into play.

While the murder weapon was not recovered, some personal papers from the Norton house were found on U.S. 36 near Montezuma. The condition of the papers indicated they were less than 24 hours old.

Both bodies were taken Saturday to Union Hospital at Terre Haute for an autopsy.

Also missing in the case is a motive for the killings. Cooper said there was apparently nothing of value taken from the house, which has been tightly sealed off by law enforcement authorities. Indiana State Police officers are assisting in investigation of the case. Cooper stated that there was also no sign of a forced entry, although the back door of the house was reportedly found open.

The sheriff said that three of the houses surrounding the

Norton home are not occupied, which would probably account for the fact that no one heard any disturbance.

Mrs. Norton was a third-grade teacher at Montezuma Elementary School and had taught at Bridgeton for two years previously. Southwest Parke School Superintendent Richard Stedie said that both the Montezuma elementary and high school would be closed all day Tuesday for funeral services.

Mr. Norton left Parke County for Lebanon after giving a statement to authorities with his parents, Mr. and Mrs. Keith Norton. He is a sales representative for Regal products.

Mrs. Norton was born July 17, 1949 in Vermillion County. She graduated from Indiana State University. Survivors, in addition to her husband, are her parents, Mr. and Mrs. Jack Brown of Hillsdale, a brother, David of Hillsdale; and her grandmothers, Mrs. Blanche Brown of Hillsdale.

(Continued On Page Three)

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Site Of Double Slaying In Rockville



Search For Clues On Sunday

X

Murder
Ind. Co. Parke
Defendant to
Crime & Criminals
Clay Jail
Ind.
Community Affairs File
ROCKVILLE, Ind. In a surprising move, Earl Dowd, Parke Circuit Court judge, has ordered a defendant in the slaying of Christine Anne Norton and her son, Brett, Jan. 10, to be transferred to the jail at Brazil.

The transfer was made at the request of Donald Gibson, attorney for Benjamin Paul Woody, 27, Montezuma. Gibson asked the move, citing "safe keeping" as the reason.

Gibson also asked that Woody be given a mental examination. Donald Keith Norton, accused along with Woody of first degree murder and murder for hire, remains in the Parke County jail.

FEB 6 1976

Community Affairs File

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Winnetka County has bid

Counties

Community Affairs File

Listed in

FEB 28 1976

Case

ROCKVILLE, Ind. (Special)
— Judge Earl Dowd of the Parke County Circuit Court has listed seven counties, some of them 150 miles away, for selection in the Donald "Chet" Norton murder trial.

Norton, through his attorney, had asked for a change of venue and sought to have the trial held in a more populous county and one that was not adjacent to Parke County. The attorney reasoned that Norton would have a better chance for a fair trial if the case could be tried away from home.

Judge Dowd listed Blackford, Decatur, Fayette, Fulton, Harrison, Jackson and Jefferson from which a selection is to be made. None of the counties is adjacent to Parke County.

Norton, who was to be arraigned this past week on a charge of slaying his wife, Christine, 26, and son, Brett, 4, on January 10, will now be arraigned in the county finally selected to hear the case. His attorney, Kent Moore of Lafayette will name the first county to be stricken from the list and then Parke County Prosecutor Clelland Hamner, who will prosecute the case, will strike one. This procedure will continue until only one county is left and the trial will be venued there.

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Community Affairs File

Norton Asks Change Of Site For Trial

Crime and Criminals (Ind.)

FEB 25 1976

Ind. Co. Parke

Community Affairs File

ROCKVILLE, Ind. (Special) — Citing publicity of the double murder of his wife and child, Donald Keith Norton Tuesday asked for a change of venue from Parke Circuit Court here. Judge Earl M. Dowd took the matter under advisement.

Norton, along with Benjamin Paul Woody, 27, Montezuma, have been charged by a Parke grand jury with the Jan. 9 slaying of Norton's wife, Christine Ann Norton, 26, and their four-year-old son, Brett Norton.

Kent Moore, of a Lafayette law firm, represented Norton at the hearing Tuesday before Judge Dowd. Woody earlier made a preliminary appearance before court and trial has been set for later this spring.

Woody was arrested one week after the slaying and allegedly filed a statement with investigators, which included Indiana State Police and Parke Sheriff's Department detectives, concerning the double fatality.

Norton, 26, was arrested later in the case and has been held without bond in the matter.

Norton, who had insured the lives of his son and wife in the amount of \$600,000, reportedly told the Parke Sheriff's Dept he came home about 4 a.m. Jan. 10 and found his wife and son slain. The home is located within a block of the Rockville square and the Parke County jail.

The grand jury heard evidence in the case which reportedly included details of a murder-for-hire plot.

between the two men charged with murder. Woody and Norton were friends of some years.

Parke County Sheriff Gary Cooper led a search of the Wabash River near Montezuma and Rockville but the weapon, which apparently was a knife, has not been located. Dr. Franklin Swaim, Parke County coroner, said Mrs. Norton, an elementary school teacher in Montezuma, died of multiple stab wounds, several penetrating the heart and lungs. The youth, who apparently woke up during the attack on his mother, was killed by stab wounds to the chest, according to Swaim.

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Crime & Criminals (Int)

Norton

Ind. Co. Parke
Case

T MAR 5 1976

Venued

ROCKVILLE, Ind. — Donald Keith Norton, 26, Rockville, accused of first degree murder in the deaths of his wife and son Jan. 10 will stand trial in Decatur Circuit Court at Greensburg.

After striking six other counties named by Parke Circuit Court Judge Earl Dowd, defense and state attorneys finally picked the court of Judge John Goddard. Greensburg is located 100 miles from Rockville and is known throughout the state as the community with the tree growing out of the courthouse roof.

Norton is expected to be moved to the Decatur County jail in the near future. Before Judge Goddard, Norton will enter a plea of guilty or not guilty to two counts of first degree murder in the stabbing deaths of his wife and 4-year-old son. It is expected that his attorneys will also ask that bail be set for Norton. He has been held in Parke County without bail.

Norton appeared in Parke Circuit Court to complete his arraignment, but the request for a change of courts stopped further arraignment procedure.

The defense had asked that Norton's trial be moved to a county with a large enough population that it would not be given undue publicity. Prosecutor Clelland Hanner objected to the larger county theory. Decatur has only about 7,000 more people than does Parke.

Benjamin Woody, also charged with the same two murders, appeared in Parke Circuit Court for a hearing at which his attorney also asked the trial be moved from Parke County.

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Norton Indictment Dismissed

Rockville Tribune 5-26-76

It was back to "act one" for the Parke County prosecutor's office when Judge John W. Goddard of Decatur Circuit Court suddenly dismissed the original indictment against Donald K. Norton of Rockville, accused of the murder of his wife and son last January.

In a completely unexpected move, and one considered highly unusual, Judge Goddard made a motion of his own to dismiss the indictment against Norton. The move had not been requested by Norton's attorneys. The prosecutor's office locally was not told why the judge ruled as he did.

It was unusual in that on May 12 the judge denied a motion from Norton's attorneys that the murder charges against their client be dismissed. At that time the judge made a "summary dismissal," indicating he found no merit in the request. Norton's attorneys had requested the dismissal based on what they charged was a lack of evidence, the unconstitutionality of the death penalty asked by the prosecution and a "defective" grand jury indictment. The prosecution then filed an amendment to the original indictment, changing the language. Judge Goddard never ruled on this.

Norton was scheduled for trial in Decatur Circuit Court at Greensburg on June 7. He has been held in the county jail there since the first part of March.

Following his motion to dismiss, Goddard ordered Norton held without bond and bound back to Parke County or the state

for further action. On Monday, May 24, Judge Earl Dowd of Parke Circuit Court issued a bench warrant for Norton's arrest and asked that he be moved from Greensburg for "safekeeping." Also on Monday, the prosecutor's office refiled two affidavits charging Norton again with two counts of first degree murder of his wife and son.

Norton was returned to Parke County where he faced Judge Dowd at 2 p.m. Tuesday to begin once again the legal steps to bring him to trial. At that hearing, the arraignment procedure was begun. Arraignment is a two part court procedure where the defendant is formally notified of the charges against him, followed by entering of a guilty or not guilty plea. At Tuesday's hearing, the charges were read.

The arraignment process will be completed this Friday at 10:30 a.m. in Parke Circuit Court.

Following Tuesday's session, Norton was taken to Crawfordsville to be held in the Montgomery County jail.

Although Norton's attorneys were not in court Tuesday, it is expected that they will soon file for a change of venue as they did last February when they said their client could not get a fair trial in Parke County. If that request comes, Judge Dowd will then present a list of courts to each side for striking purposes. Under that process, each side strikes one court from the list until one is left. That is where the Norton trial will go.

Judge Goddard's court at Greensburg was chosen last February from a list of seven locations. Eliminated by one side or the other were Blackford County (Hartford City), Fayette County (Connersville), Fulton County (Rochester), Jackson County (Brownstown), Jefferson County (Madison) and Harrison County (Corydon).

Judge Goddard was defeated in the May voting for re-election as judge after sitting on the bench for about 30 years.

It is not known how long the legal process will take to set a new trial date for Norton.

He was arrested and charged with the two counts of murder on January 20. He asked for a change of judges on February 23

and the Decatur Court was chosen on March 3 and he was moved to Greensburg. He first appeared before Judge Goddard on March 10 and entered a plea of not guilty to the charges. At that time the June 7 trial date was set.

Charged with the same two murders is Benjamin P. Woody of Montezuma. He is currently being held in the Parke County jail and his trial is scheduled for June 28 in Blackford Circuit Court in Hartford City before Judge Bruce Bade (pronounced Body).

Both men are charged with the January 10 knife slaying of Norton's 26-year-old wife Christine and his four year old son Bret in Rockville. Woody was arrested in Montezuma on January 17, just one week after an intensive round-the-clock investigation by several police agencies. Norton was arrested in Montgomery County three days later.

Woody has also pleaded not guilty to the charges.

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Community Affairs File

Norton Back in Court

Crime & General (IND)

MAY 28 1978

ROCKVILLE, Ind. (Special)
— Donald K. Norton of Rockville, accused in the knife slaying of his wife and son last January, has been re-arraigned on the murder charges in Parke Circuit Court.

The court procedure Tuesday before Judge Earl Dowd was brought about because Decatur Circuit Court Judge John W. Goddard Monday dismissed the original indictment against the 27-year-old Norton.

Judge Goddard apparently found error in the indictment and dismissed it so that court procedures could be re-instituted against Norton. Norton was moved from Greensburg to Rockville for the re-arraignment, then whisked away to Crawfordsville and placed in the Montgomery County jail.

Norton is accused of hiring the murder of his wife. Woody is charged with the slaying and is scheduled for trial in Hartford City June 28. Woody is also charged with the death of Norton's four-year-old son, Bret.

Both men are charged with two counts of murder following indictment by a Parke County grand jury in January.

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Crime + Criminals (Ind)

Crime + Criminals (Ind)
Norton Case
JUN 5 1976
Circuit Court File

ROCKVILLE, Ind. (Special)
— Donald K. Norton, who is being held by Parke County circuit court on a charge of hiring a friend to kill his wife and young son, was granted a change of venue Friday by Judge Earl Dowd.

Norton's case will be heard in Benton County circuit court at Fowler. No date for the trial has been set.

The case was originally venued to Decatur County, but the judge there sent it back to Parke County because of what he termed faulty wording in the indictment.

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Chet Norton Murder Trial Opens

Community Affairs File

T AUG 1 1 1976

By HOWARD STEVENS
Tribune State Editor

FOWLER, Ind. — Seven months to the day after the bodies of a young mother and her son were found stabbed to death less than two blocks from the Rockville square, the husband and father of the victims has gone on trial for murder.

Hearing the case in Benton County Circuit Court is Judge Perry Shipman, who has already turned down a defense plea for dismissal of the case. Charged with 'murder for hire' is Donald 'Chet' Norton, 25, Rockville.

Norton has pleaded not guilty to two charges of first-degree murder — a capital crime in Indiana.

Charged with the actual murder of Christine Norton, 25, a Montezuma school teacher, and her young son, Brett, 4, is Benjamin Woody, of Montezuma. Woody will go on trial Sept. 7 at Hartford City.

Presenting the case against Norton is Parke County Prosecutor Clelland Hanner and assistant prosecutor, John Dowd, son of Parke Circuit Court Judge Earl Dowd. Defending Norton is E. Kent Moore, of the Lafayette law firm of Moore, Sandy, Moore and Deets.

From the outset, the case has attracted considerable attention. Norton's case was first moved to Greensburg, in southern Indiana — a community known for the tree which grows from the courthouse dome.

In a surprise move, Judge John Goddard dismissed the original indictment against Norton and ordered the defendant back to Parke County. Norton was never physically free.

Repeating the process against Norton, the case was moved here on a change of venue request by counsel for the defendant. Woody remains in the Parke County Jail since there is no jail at Hartford City.

At one point, counsel for Woody requested that his client be removed from the Parke County jail which he shared with Norton for 'safe keeping.' The court allowed the request and Woody was taken to the Clay county jail at Brazil. However, when Norton was moved to Greensburg and subsequently to Fowler, Woody was returned to the Rockville jail.

In the meantime, the question of the constitutionality of Indiana's death penalty has been raised by various courts of law. However, Judge Shipman has indicated that as long as the law is on the books, that is the statute under which Norton will be tried.

Hanner has said that he will present around 15 witnesses including Woody. Throughout the proceedings, Hanner has identified Norton as 'the mastermind of the murder.'

Others expected to testify include Police officer John Blackman, Rockville, who was called to the Norton home by the defendant who said he found the bodies when he returned home from a round of card playing at Montezuma. Sheriff Gary Cooper of Parke County, the coroner and sheriff's deputies are also expected to testify.

Hanner has not denied that a possible motive in the murder was a large amount of insurance Norton took out on his wife while he was employed as an insurance salesman. Hanner has also indicated that Woody apparently feared for his own life when Norton's son was also killed in the twin slaying.

Woody was arrested a week after the brutal murder while Norton was taken into custody Jan. 20 as he drove to his parent's home at Lebanon. A grand jury indicted both men Jan. 22.

The murder weapon, believed to be a hunting knife, has never been recovered.

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Norton Murder Trial Continues Into 4th Day

Crime & Criminals (Ind.)

AUG 12 1976

FOWLER, Ind. — The fourth day of the Donald 'Chet' Norton murder trial has heard four witnesses describe the defendant as 'distraught' immediately after the slaying, but 'quickly gaining his composure shortly afterward.'

Charged with 'murder for hire' in the deaths of his wife, Christine, and his son, 4, Norton, 25, Rockville, is being tried in Benton Circuit Court before Judge Perry Shipman.

Expected to testify for the state is a codefendant in the brutal murder, Benjamin Woody, 26, Montezuma. Woody and others, Prosecuting Attorney Clelland Hanner told the court, will testify that he was offered a large sum of money to kill Norton's wife and son Jan. 10. Hanner says a third man was offered \$50,000 to kill Woody.

Hanner, in opening remarks to the court, described the defendant as 'a cool customer — calculating.

"No doubt about it, Norton was the mastermind behind this case," Hanner suggests.

Norton has denied the

charges and has pleaded not guilty.

Still hanging over the case is the question of the constitutionality of Indiana's death penalty. Hanner has asked for the death penalty under the 'murder for hire' statute.

However, Judge Shipman has indicated that as long as the law is on the books, the court has no alternative, but to hear the case out. Court officials say they expect the case to last at least three weeks.

During Wednesday's court session, the small courtroom was filled with spectators — including members of the families involved. Hanner has indicated that he will call upward of 20 witnesses.

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Community Affairs File
Norton
Crime Criminals File
Murder
Ind. Co. Parke
Plots Told

T AUG 17 1976
FOWLER, Ind. (Special) —
Testimony that Donald "Chet" Norton, Rockville, tried on two occasions to hire a Rockville schoolteacher to kill Benjamin Paul Woody before and after Woody had murdered Norton's wife and child was heard in Benton County Circuit Court Monday afternoon.

Steve Jones, a high school teacher, said Norton had asked him to kill Woody because Woody had lost his nerve and was in trouble out of the state.

Jones told how he reported Norton's request to the police after the two slayings and how he was asked by the officers to pretend to go along with the idea to help trap Norton.

Several other witnesses were called by Prosecutor Clelland Hanner and his assistant John E. Dowd to corroborate the story Woody had told on the witness stand Friday. In that testimony Woody told how Norton had hired him to murder the wife and small son, and had promised him half of the insurance money, which Norton said would amount to slightly more than \$100,000.

Bill Maxfield, Montezuma Town Marshal, was among those called Monday as was Dave Peterson, also of Montezuma, and Terry Charles Cox of Dana. They all backed up parts of the Woody story and Steve Phillips, Montezuma, told that he had kept in his possession for a short time one of the knives that had been purchased in Terre Haute as a murder weapon.

Woody's wife, Beverly, testified that her husband was frightened after the Norton deaths, and that he kept a loaded gun in the house and had new locks put on the doors and windows. She also confirmed that Terri Cox and her husband had returned the "getaway" car to Indianapolis after the two deaths.

A Prudential insurance official testified that Norton had taken out policies on his wife and child several years ago and that the amounts totaled more than \$600,000, which he considered an inordinate amount for a man in Norton's circumstances.

The prosecution indicated that they might be able to finish their case in the next day or two and then the defense will take over.

Norton's trial was venued from Parke County to Fowler. Woody is slated to be tried for the two murders in Blackford Circuit Court in September at Hartford City.

Community Affairs File

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Detective Sergeant Heck *Crime and Criminals (Ind.)* Tells Of Norton's Remarks, S AUG 1 8 1976 *Community Affairs File* Emotions At Murder Scene

FWLER, Ind. (Special) —
The prosecution moved closer to the end of its evidence in the Donald "Chet" Norton murder trial here Tuesday with the evidence given by State Police Detective Sergeant Lloyd Heck.

Norton is on trial accused of hiring Benjamin Paul Woody, Montezuma, to kill his wife and young son in the Norton home in Rockville January 9, in order to collect more than \$600,000

insurance money

Detective Sgt. Heck told under questioning by Prosecutor Clelland Hanner of Rockville of his early morning call to go to the home and investigate the murders Parke County Sheriff Gary Cooper and Rockville Police Officer John Jackman were already on the scene. Heck told of viewing the bodies of the mother and her young son and of questioning Norton at the time.

Sgt. Heck pointed out that none of the furniture had been disturbed in the home and there was no evidence of a struggle.

Heck told the court that he sat at the dining room table and questioned Norton about the events leading up to his discovery of the bodies and

what he had done the night before. He said Norton talked to him in a normal voice without showing any emotion until he talked about the young son, then he expressed some "sorrowful" emotion.

Heck said Norton told him when he returned home early in the morning he found the back door open and that the first thing he did was shout: "Christine, (his wife's name) why the hell did you leave the door open?" When he received no answer he said he went into their bedroom, turned on the light and noticed that his wife "didn't look right." He then went into the bedroom of his young son, Brett, and said "he didn't look right either."

Norton then picked up the boy, carried him into the mother's room and placed the body on the foot of her bed. Then, he said he believed he called the police.

Prosecutor Hanner had Heck hold up bed clothing and the clothing worn by the mother and son when they were attacked so the jury could see the many slashes and blood stains.

Defense Attorney R. Kent Moore moved for a mistrial earlier in the day Tuesday after it was revealed that the court baliff had brought a message from the jury room that jurors wanted one witness recalled, claiming they could not hear her testimony. This witness was Dixie Koester, Lincoln, Ill., radiologist, who had been on the stand earlier in the trial. Attorney Moore claimed it was evident that the jury had disobeyed Judge R. Perry Shipman's admonitions not to discuss the evidence until it was all in and that a mistrial should be declared. The judge said he would "overrule the motion at this time."

Miss Koester had been presented as a friend of Norton and it was stated that the bag of weapons and items used in the performance of the murders had been kept in her mobile home at Lincoln before the night on which they were used.

E. J. Vite, Davenport, Iowa business executive, testified that Norton had worked for him on occasions selling kitchenware and that he had once advanced him \$900, which Norton repaid on the day before he was arrested.

Prosecutor Hanner told the court late Tuesday afternoon that he had called his last witness, but would like to hold over until Wednesday morning before resting in the case. This motion was granted.

The defense plans to call 10 to 15 witnesses, according to Attorney Moore, and will put Norton on the stand in his own defense.

Community Affairs File

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State Completes Community Affairs File Testimony in *Crimes & Criminals, Ind.* Murder Case

AUG 18 1976

FOWLER, Ind. (Special) — The prosecution moved closer to the end of its evidence in the Donald "Chet" Norton murder trial here Tuesday with the evidence given by State Police Detective Sergeant Lloyd Heck.

Norton is on trial accused of hiring Benjamin Paul Woody, Montezuma, to kill his wife and young son in the Norton home in Rockville January 9, in order to collect more than \$600,000 insurance money.

Detective Sgt. Heck told under questioning by Prosecutor Clelland Hanner of Rockville of his early morning call to go to the home and investigate the murders. Parke County Sheriff Gary Cooper and Rockville Police Officer John Jackman were already on the scene. Heck told of viewing the bodies of the mother and her young son and of questioning Norton at the time.

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Norton Claims He's Innocent Of Area Murders

T AUG 19 1976

Crime & Criminal (Ind.)

FOWLER, Ind. (Special) — Donald "Chet" Norton, Rockville, took the witness stand Wednesday morning in Benton Circuit Court to fight for his life against two charges of first degree murder for hire.

Norton denied that he was guilty of the charges and was led through his actions on the night of January 9-10 when his wife Christine and four-year-old son, Brett, were brutally slashed to death in their beds at the Norton home in Rockville.

Defense Attorney E. Kent Moore, Lafayette, conducted the direct testimony Wednesday morning after Prosecutor Clelland Hanner, Parke County, rested his case.

Norton admitted that he had purchased the two expensive knives one of which was used in the murder but said he planned to use them in hunting deer or to cut telephone wires in case he ever needed to do so.

He denied hiring Benjamin Paul Woody, Montezuma, to kill his wife and son but did admit meeting with him on several occasions and said Woody wanted help in robbing a poker game where the two men sometimes played. He mentioned that he, Woody and Mike McConnell has made preliminary plans to rob the game and thought the knives might be useful in that event.

Norton told his attorney of his reaction on returning home and discovering the bodies. He said the family had gone to dinner earlier in the evening at Clinton and that when he got home Christine asked him to stay and watch a show with her on television. He said he wanted to go to Montezuma, get some drinks and play cards. He admitted doing this and then returning home early in the morning after losing \$26 or \$27 in the poker game. It was then that he found the back door open and his wife and child dead.

Prosecutor Hanner took over cross-examination after Attorney Moore finished and Norton remained on the stand all afternoon and will return Thursday for further questioning by Hanner.

Norton told Hanner he told Woody it would be foolish to try to rob the poker game and said he wanted no part of it. He admitted to buying the knives, ski mask, clothing and other tools and equipment and to storing them in a mobile home at Lincoln where Dixie Koester lived.

He recalled that he and Woody drove to the trailer to pick up the tools and that they were quarreling when Miss Koester returned home. He said he had bought some books on crime and that he told Woody he should read them. Finally he said to Woody, "You can have the bag. I want no part of it."

Under cross-examination Norton also admitted that he drove Woody to Terre Haute and Indianapolis in an attempt to rent a car which he said Woody wanted to use to transport some dope. They

finally found a car at the Indianapolis airport they could rent and that was the one Woody told about using the night of the murders.

Hanner asked Norton about the Steve Jones, Rockville high school teacher, testimony of conversations in which he claimed Norton asked him to kill Woody. He denied this and said he never asked Jones to kill anyone.

Norton said he never lied to his wife only on occasions when he was going to visit another woman. Then he frequently dressed in hunting clothes and told her he was going deer hunting.

Norton held up well during the direct examination, but had some difficulty under cross examination by Hanner. He will be on the stand again Thursday morning when Hanner will try to shake his testimony of innocence in the case.

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'Loving Father'

T AUG 20 1976

T AUG 20 1976

Tag for Norton

From Family

FOWLER, Ind. (Special)
—Mrs. Frances Norton, mother of Donald "Chet" Norton who is accused in a murder for hire case, fainted shortly after she left the witness stand Thursday and collapsed on a stairway leading away from the courtroom.

Mrs. Norton, sobbing her way through direct testimony and cross-examination, claimed her son, Donald, was "emotionally wrecked" after the murders of his wife and son, that he had moments of extreme anger and deep sobbing.

Mrs. Norton was being led out of the courtroom when she fainted and was kept from falling by her husband who had his arm around her at the time. Police officers rushed to help, and in the excitement Donald, her son, rushed from the courtroom to assist her. He was closely followed by police officers who were unable to see what the commotion was and were anxious to keep him under tight security.

Mrs. Norton was one of five members of "Chet's" family who took the stand Thursday to tell of his emotional state following the tragic slaying of his wife, Christine, and 4-year-old son, Brett on the night of Jan. 9-10 in their home at Rockville.

Norton's sister, Pam, 21 year-old senior at Indiana University, said she feared her brother might do something desperate over the loss of his family. She said "Don would not eat anything from the date of the murders until after the funerals, giving as his reason 'Chris and Brettie can't eat.'"

Norton's mother sobbed when she told of washing the blood stained shirt of her son, and told of her love for Christine and her grandson, Brett. He was her only grandchild and he frequently visited her in her home, as she also frequently came to Rockville to see the family. Under cross-examination she admitted that her son was not always at home when she visited him, but she understood the cause as he was a salesman for a dinnerware company and had to travel a lot.

Mrs. Dorothy Grimes, Crawfordsville, Norton's aunt, said: "Christine was the most wonderful girl I ever met." She told of her frequent visits to the Norton home in Rockville.

Another member of the family, tried to impeach the testimony of Steven Jones, Rockville High School English teacher, who had testified Norton tried to hire him to kill Benjamin Paul Woody, Montezuma, who has confessed the double murder, saying he did it at the request and on the promise of a large sum of

money from "Chet." This witness was Norton's cousin, Marine Corporal Thomas Pratt, stationed at Cherry Point, N.C.

During Cpl. Pratt's testimony he related a hunting incident in which he, Norton and Jones hunted near Darlington, Ind. He said that during the day they sat for a while on a bridge and Jones bragged of his sexual prowess and that all three of the men smoked marijuana at that time.

The defense attorneys said they would try to end their part of the trial Friday and Judge Perry Shipman of the Benton County Circuit Court will probably order closing arguments early next week.

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FRIDAY, AUGUST 21, 1976
Community Affairs File
Recess
AUG 21 1976
In Trial
Crime & Criminal Justice
Of Norton

FOWLER, Ind. (AP) — The first-degree murder trial of Donald K. Norton, charged with hiring a man to kill his wife and son, is in weekend recess.

It is to resume at 1 p.m. Monday when attorneys are expected to begin final arguments.

Discussion of a lie detector test highlighted Friday's session. Three polygraph experts testified. Their interpretations of a test given Norton, 27, Jan. 15, differed.

State Police Sgt. John O. Danberry said he conducted the polygraph exam five days after Christine Norton and her son, Brett, 4, were slain in their Rockville home.

The state contends Norton had \$604,000 in life insurance on them and hired a man to kill them.

Danberry, called by the prosecutor, told the Benton Circuit Court jury he feels Norton was not truthful when asked questions about the deaths. He said Norton was uncooperative in taking the test and attempted to deceive the officer when asked whether he had knowledge of the murders and other questions about them.

Defense attorneys called two Lafayette policemen, Lt. Ronald O. Milks and Capt. Daniel F. Eberle, both lie detector experts. Milks said it "appeared the subject was truthful" in answering Danberry's questions.

"My opinion is there is not enough reaction on these (lie detector) charts to say the man is reacting in a definite guilty manner," Eberle said.

Norton's father-in-law, Jack Brown of Hillsdale, also testified Friday. He said Norton was away from his wife and child and Brett appeared to prefer being with his mother or grandparents over his father.

Earlier, several relatives of Norton testified that Brett worshipped his father.

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Crime & Criminals (Ind)

Deliberation May Start Monday in Norton Trial

18 AUG 22 1976

By HOWARD STEVENS
Tribune State Editor

ROCKVILLE, Ind. — A jury of six men and six women were expected Monday to begin deliberating the alleged murder for hire case involving defendant Donald Chet Norton — husband and father of the slaying victims.

Norton, 27, Rockville, has denied in Benton Circuit Court, Fowler, Ind. that he hired another man to slay his wife and four-year-old son so he could collect \$604,000 in insurance he contracted for on the couple when he was an insurance salesman. The state alleges that Norton hired Benjamin Paul Woody, 27, Montezuma, to carry out his assignment and that Woody stabbed to death Christine, and the couple's son, Brett, 4, Jan. 10 in their home at Rockville.

Parke County Prosecuting Attorney Clelland Hanner, who has directed the state's case against Norton, says he expects the jury "in its wisdom to come up with an appropriate verdict." Hanner has indicated he will ask the death penalty.

"The defense, obviously, has not impeached the testimony of the man who says he committed the murders at the direction of the defendant for a sum of money — more than \$50,000.

We believe Woody and others who say Norton asked them to kill Woody before Woody surrendered to police Jan. 17," Hanner says.

Attacked by the defense was the testimony of Steve Jones, a Rockville school teacher, who testified before the jury and Judge Perry Shipman that Norton offered him \$10,000 and later, \$50,000 to kill Woody.

Hanner said Norton, who was described as upset over the murders by members of his family last week during the trial, was not "too upset to spend a weekend with a girlfriend a week after the slayings."

During testimony by Norton's mother, she described her son as "a walking dead person" following the slayings. She said he refused to eat until after the funerals.

One of the last witnesses to be heard in the case, Jack Brown, Hillsdale, father of the slain woman, said Norton was away from home so much that the son preferred his mother and grandparents over his father.

Woody is scheduled to stand trial in Blackford County court Sept. 7. Hanner made it clear that he has made no deals with Woody in return for his testimony.

"Woody told me he wanted to tell the truth and clean his slate. His testimony was 100 per cent — exactly what he told us earlier," Hanner said.

What sort of fellow is Norton?

"He believed in going first class. He drove expensive sports cars and he had lots of girl friends."

"He was seldom home — spending much of his time on the road and staying in motels with other women," Hanner said the state's research reveals.

Norton, a huge man with a heavy beard, was employed as a cookware salesman at the time of the slayings. He met his wife while attending Indiana State University, but he dropped out of school after two years.

Hanner said Saturday that he is pleased with the way the case has progressed and the jury's attentiveness.

"It's a good jury — I respect their interest."

During a dispute over lie detector tests given Norton, Hanner noted that Norton flunked the examination. Defense attorneys say he passed. Two Lafayette police officers, polygraph experts, say Norton "appeared truthful."

Attorneys in the case will present final arguments in the case at 1 p.m. Monday. The jury is expected to start its deliberations shortly afterward.

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Crime & Criminal (TH)
Norton

Found

Guilty

AUG 1 1 1976

Community Affairs File

A Terre Haute man was found guilty of first degree burglary and aggravated assault and battery Tuesday in a Vigo Superior Court jury.

John Norton, 20, 941 Lafayette Ave., was charged in connection with the robbery and beating of Tommy Ferree, 72, 534 N. 14½ St., May 20 in Ferree's home.

The burglary charge carries a 10-20 year prison sentence and the assault charge 1-5 years. Sentencing is set for Aug. 30.

The jury received the case shortly after 3 p.m. and returned the verdict of guilty at 9:15 p.m. to Judge Harold J. Bitzegaio.

Chief Deputy Prosecutor Phillip I. Adler presented the state's case against Norton. The defendant was represented by Public Defender William K. Teegarden.

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Crime + Criminals (Ind)

Judge Dowd Lists 7 Counties Available For Norton Trial

Crime + Criminals (Ind)
Ind. Co. - Parke Community
FEB 28 1976

ROCKVILLE Ind (Special)
Judge Earl Dowd of the
Parke County Circuit Court has
listed seven counties for
selection in the Donald Chet
Norton murder trial

Norton, through his attorney
had asked for a change of venue
and sought to have the trial held
in a more populous county and
one that was not adjacent to
Parke County The attorney
reasoned that Norton would

have a better chance for a fair
trial if the case could be tried
away from home

Judge Dowd listed Blackford
Decatur Fayette Fulton
Harrison Jackson and
Jefferson from which a
selection is to be made None of
the counties is adjacent to
Parke County

Norton who was to be
arraigned this past week on a
charge of slaying his wife

Christine, 26, and son Brett 4,
on January 10, will now be
arraigned in the county finally
selected to hear the case His
attorney, Kent Moore of
Lafayette will name the first
county to be stricken from the
list and then Parke County
Prosecutor Clelland Hanner
who will prosecute the case will
strike one This procedure will
continue until only one county is
left and the trial will be venued
there

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Court Will Decide Who Gets The \$604,000 Insurance Money On Murdered Nortons

Community Affairs File

Rockville Republican 11/22/76

**BY DICK HARNEY
PUBLISHER**

The \$604,000 proceeds from insurance policies on Christine and Bret Norton, murdered last January in Rockville, will be paid to the U.S. District Court for the Southern District of Indiana. The court will then determine who will eventually get the money.

Friday afternoon, November 19, Ross Lock, manager of Prudential Insurance office in Terre Haute, announced the company's decision. Prudential carried the massive insurance on the two victims, who were stabbed in their beds by Benjamin Woody of Montezuma, according to his own confession. Woody said Norton persuaded him and intimidated him to kill the two. Norton is now on death row, sentenced to die in the electric chair, after conviction on two counts of first degree murder by a Benton County jury in August. He was listed as beneficiary for all the policies.

Lock said that Prudential launched an extensive investigation in order to determine whether or not the policies were purchased with the intent to defraud the company and if not, then to whom the proceeds would be paid.

Lock announced that Prudential investigators have determined there is no evidence from which it could be concluded that the policies were purchased by Norton with the intent to defraud. In other words, the company has concluded that Norton allegedly decided to kill his wife and child after he bought the insurance. If fraud had been proven, the company would not have been required to pay.

Since a murderer may not

benefit from his wrongful act, Prudential has disqualified Norton as the beneficiary because he has been convicted of the crime. In Indiana one who hires murder done is equally guilty as the one who actually commits murder.

Then the question was raised which other members of Christine's and Bret's family would be entitled to the insurance.

Lock said since the company has not been able to determine to whom the proceeds are payable, they have decided to commence an action in the U.S. District Court against all interested parties and ask the court to make the determination of payment in order to discharge the company's obligations under the policies.

Prudential is expected to file the action this week. It will then be up to the administrators of the two estates to file a cross claim for the money. Jack Brown, father of Christine, has been named executor for her estate. Covington attorney Jim Bunch has been named administrator for the estate of Bret.

Norton was the only person to formally file for proceeds from the policies, just days after the two were murdered.

When the case is filed, one of four judges assigned to the court will hear evidence and decide who gets the money.

The deaths raise an interesting legal question, one which undoubtedly will be very difficult to decide. The question is who died first, the mother or the child?

If it is determined that Christine died first, the \$554,000 on her life would go to her estate and pass, even if only momentarily, to her son Bret as her only survivor. That \$554,000 plus the \$50,000 on Bret's life would then go to his estate when he died and could possibly be paid to both sets of grandparents as his survivors, the Browns and the Norton family.

However, if it is determined that Bret died first, the \$50,000 on his life would go to his estate and momentarily pass to his mother as his only survivor. Then her estate, the \$604,000 total, would go to Mrs. Norton's heirs, probably her parents, the Browns.

Even though Mrs. Norton was stabbed first, repeatedly according to Woody, there is the possibility that she lingered and was not quite dead when Woody

left her bedroom. Woody said he ran to the boy's room and began stabbing him. Doctors testified that one stab wound, which went completely through the four year old's chest and exited out the back, was probably instantly fatal. Therefore he could have died before his mother.

Originally, Prudential said they would not pay anyone until Norton's appeals are decided. Immediately following his sentencing to death at Fowler, his attorneys began work to appeal the decision and get it overturned in higher courts. There was no reason given for Prudential's changing their decision.

The insurance money has been earning interest at the rate of six percent since the day of the murders, January 10.

The various indemnity clauses of the policies for accidental death, which greatly increase their worth, are in effect. Victims of murder are considered to have died "accidentally" since there are only two definitions for death with insurance - natural or accidental.

Lock took the stand during the Norton trial at Fowler even

(Continued On Page Three)

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✓ Insurance

(Continued From Page One)

though the defense objected to him testifying, saying insurance was irrelevant to the case. The objection was overruled by Judge Perry Shipman.

Lock said Norton had six insurance policies. One was on Christine Norton, a \$150,000 life policy with an additional \$300,000 for accident death for a total of \$450,000. Another was a \$150,000 policy on Norton with \$104,000 benefit on Christine. There was a \$10,000 policy and a \$40,000 policy on Bret Norton. The insurance on the two, in case of accidental death, would amount to \$604,000. Lock said the application for Bret showed his health to be perfect. There was also a policy on Norton and a disability income policy on Norton.

Lock said the monthly premium on the policies was \$239, which was "above average for an agent to have." Norton wrote the insurance on Christine and Bret while he was a salesman for Prudential, from December of 1974 to October of 1975. Lock said in a survey of the last nine agents at the Terre Haute office, 75 percent of them discontinued or cut their insurance when they left the company. Lock also identified two claims for the insurance money, submitted on January 14, four days after the killings. Norton was listed as beneficiary on all four policies.

Lock testified that the last policy on the two victims was the \$40,000 one on Bret, written on September 8, 1975, a month before Norton left the insurance company employ.

During cross examination, Norton's attorney asked Lock if the \$150,000 on Christine was not the same amount as Norton took out on himself and Lock said yes. Lock also said, under questioning, that the policy on Bret would have a cash value of about \$15,000 when the boy was 18 and that type of insurance was sold as an investment. He also said the additional accidental death benefits cost very little, about \$15 a month on the six Norton policies.

The defense had Lock explain the insurance agent quota and commission system and Lock admitted that by buying the insurance, Norton was contributing to his quota and increasing his income at the same time. By counting the commission he was paid, Lock said Norton actually purchased the insurance at about half price.

Lock testified that his survey was on nine Terre Haute district

agents and not a national statistic. He also said that most agents, when they ceased employment, usually dropped their higher insurance protection within two months after quitting.

Lock said it was "unusual for someone to try to collect the insurance so soon after the funeral of the deceased." He also testified that had Norton continued at the sales and collection rate he had established in early work that he would have made about \$12,000 a year.

Under questioning by the prosecution, Lock said Norton was terminated by the company.

Rockville Republican 12-13-76
**Norton Insurance
Question In Court**
Crime & Criminals (Ind)

Prudential Life Insurance Company filed an interpleader Wednesday, December 8, in the United States District Court at Terre Haute as the beginning of the process to pay out the proceeds of life insurance

policies on Christine and Brett Norton, murdered in January in Rockville.

The policies were valued at \$604,000, but interest paid by Prudential has now brought that amount up to \$637,559.90.

Following conviction of Donald "Chet" Norton, father and husband of the victims, for murder for hire in the first degree, the insurance company ruled him ineligible to claim the insurance proceeds. Under state law, a beneficiary may not collect on the policies of his victims. Norton was convicted by a Benton County jury of hiring Benjamin Woody of Montezuma to kill the two so he could get the insurance money. Norton is appealing that conviction to the State Supreme Court.

An interpleader is an unbiased party, in this case the court, to determine action which affects a third party, the potential recipients of the money. A spokesman for Prudential said the company could not determine who should get the money and therefore took the legal action. They did determine however that Norton did not take out the

policies with the murders in mind which would have been an attempt to defraud the company. If that had been true, the company would not have had to pay any money to anyone.

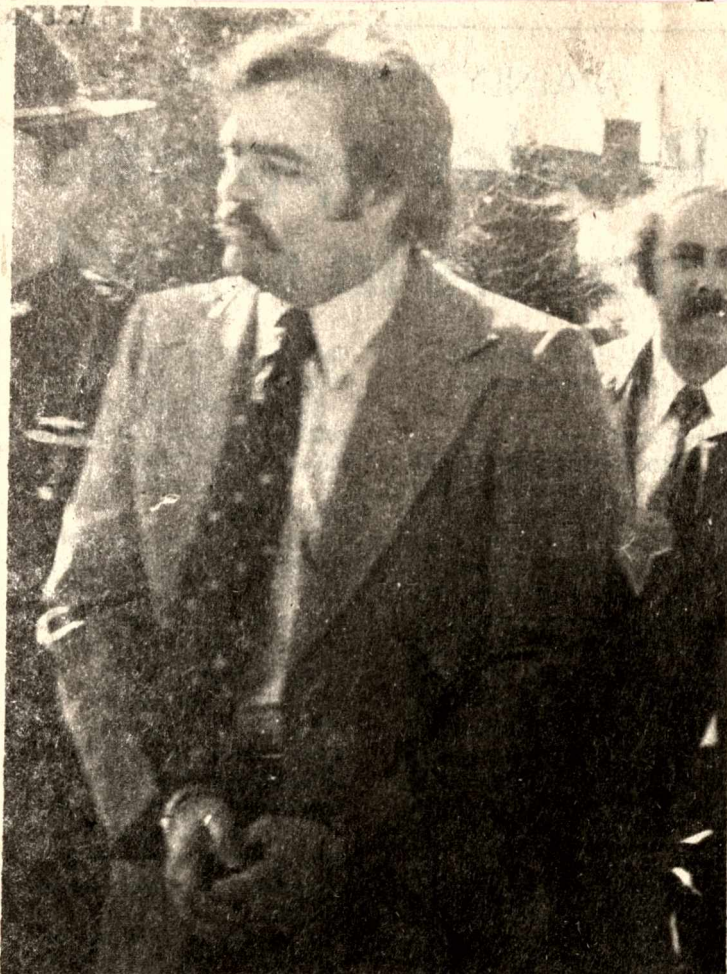
Jack Brown, Christine's father, has been named administrator of her estate. Covington attorney James Bunch was appointed administrator for four year old Brett Norton. Both have been served with a summons by the court. They now have 20 days to respond to that summons, at which time the court will hear evidence and decide who gets the premium money.

Prudential's problem, and now the problem of the court, is into whose estate the money goes. If Christine died first, her son Brett was her only heir and the money from her insurance was his, if only momentarily. When he died the entire \$604,000 would have gone into his estate and then go to his heirs, probably both sets of grandparents, the Browns and Nortons, since he was an only child. If Brett died first, his part of the insurance passed to his mother and when she died, her estate would logically go to her parents only, eliminating the Norton family from the proceeds.

It is unknown what evidence will be presented to determine the question. The pathologist at Union Hospital said that Brett Norton received, among several, one knife wound that was probably instantly fatal. Even though his mother was stabbed first, she might have lingered and actually died after her son. However, during the trial at Fowler, Norton himself testified that when he got home his wife's body was cold but the body of his son was still warm.

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DONALD "CHET" NORTON

Norton Is Given Stay On Death Sentence

Crime & Criminals (Ind.)
Dec 8, 1976 Rockville TRIBUNE

Judge Perry Shipman of Benton Circuit Court at Fowler granted a stay of execution for Donald K. "Chet" Norton of Rockville on Monday, December 6. Norton was sentenced to die in the electric chair at Michigan City on December 27.

Judge Shipman gave him that death sentence on September 13 after a Benton County jury judged Norton guilty of two counts of first degree murder for hire of his wife Christine and four year old son Bret in Rockville on January 10. The verdict was given on August 23 after an 11 day emotion packed trial. Norton is now confined to "death row" at the Indiana State Prison in Michigan City.

The self confessed murderer, Benjamin Woody of Montezuma, is also in the same state prison under a life sentence. Woody said Norton had persuaded and threatened him to kill the two for the \$604,000 worth of insurance.

Judge Shipman's decision was not unexpected. He said he granted the stay pending an appeal of Norton's conviction to the Indiana Supreme Court. The judge postponed the execution "indefinitely."

Norton's attorneys have until January 5 to file a request for a copy of the trial records, a formality when an appeal is to be granted. A copy of the records must be submitted to the clerk of the Indiana Supreme Court no later than March 7. Judge Shipman said the appeal process will probably take at least a year.

Shipman also overruled a motion by Norton's attorneys to correct errors of the trial. Oral arguments were to have been presented at Fowler, Monday, but E. Kent Moore and Carl J. Sandy, attorneys for the defense, waived their right to oral arguments. Instead they submitted a 103-page legal brief outlining the alleged trial errors. Such a motion is considered routine and is necessary to set up the foundation on which an appeal to a higher court can be based.

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Norton's attorneys have maintained that the death penalty is illegal in Indiana. Under Hoosier law, conviction of a murder for hire crime carries an automatic death penalty and one who hires a murder committed is considered as guilty as the one who actually commits the murder.

Norton is one of 397 persons sentenced to die for various crimes in the United States. Of those, 338 persons all face execution under the laws of 14 states in which various legal experts both for and against capital punishment believe have a chance to pass the constitutional tests set down by the U. S. Supreme Court last July for such punishment. Another 59 people are sentenced to die in states under laws which are constitutionally questionable under the Supreme Court rulings.

Four others, two in Utah and two in Alabama, are expected to receive life sentences under death penalty laws that have been replaced since their death sentences were handed down. Mississippi has ordered new sentencing hearings for 19 people, who are not counted among the 338.

The Supreme Court approved the death penalty laws in Georgia, Texas and Florida, but struck down those in North Carolina and Louisiana. When the high court made its ruling, North Carolina had the highest number of people facing death - 121. The North Carolina Supreme Court is now converting those to life sentences. Florida has 80 persons on death row and Texas has 42. Georgia has 35 people condemned to death.

California has 66 people facing death, including two women and Ohio has 61.

Indiana has eight on death row but there are many legal minds which feel the state law is probably unconstitutional and the legislature is expected to enact a new law next year.

The most famous case is in Utah and involves Gary Gilmore asking to be executed but several legal maneuvers, all unauthorized by him personally, have prevented him from facing the firing squad, Utah's execution method.

No prisoner has been executed in the United States since 1967. Many feel though that it is only a matter of time until someone is executed, whenever the defense lawyers exhaust the stalling tactics and the last stay of execution expires.

Georgia has always been considered to be the prime place to test the question of executions. Georgia has killed more people in the electric chair than any other state - 414 of them since 1924. Of those, only 77 were white and 58

were Negroes executed for rape.

The Supreme Court voided all death penalties in 1972 on the grounds that they were arbitrarily applied and most state legislatures rushed to enact new laws. According to a recent Gallop Poll, 65 percent of the public favors the death penalty for murder, the strongest support since 1953.

James Mackey, a retired death row prison guard at San Quentin said in a recent interview that most prisoners sentenced to be executed prefer to die rather than wait out long appeals. Mackey, who guarded death row for six years, said Gilmore's wish to be executed is not unusual. He said that within a short time of being sentenced, condemned men accept death and by the time they reach death row they are "all set to go." He added they get depressed by appeals that drag on longer than they expected. Mackey has written a book based on his experiences as a guard, entitled "Please Let Me Die."

Crt. Ruling Ends

Crime & Criminals Ind.

Rockville Tribune
May 11, 1977

Norton Execution

Donald "Chet" Norton, convicted of two counts of murder-for-hire last summer in the death of his wife and only child in Rockville, will probably have his death sentence commuted to life imprisonment. If that happens, he will become eligible for clemency in ten years.

The Indiana State Supreme Court ruled last week that the Hoosier death penalty law is unconstitutional, is arbitrary and not in conformity with recent United States Supreme Court guidelines.

Norton was found guilty in Benton Circuit Court at Fowler last August of hiring Benjamin Woody of Montezuma to stab Norton's 26-year-old wife Christine and his four-year-old son Brett in their beds at their Rockville home on January 9. Woody confessed to the crime and said Norton wanted the more than \$600,000 insurance money on the two victims.

Judge Perry Shipman of Benton Circuit Court passed sentence on Norton September 13, imposing on him the penalty of death in the electric chair at the Indiana State Prison at Michigan City. The execution date was set for December 26. That execution was postponed, as fully expected, while Norton's attorney filed an appeal to overturn the verdict of the Benton County jury.

In sentencing the then 26-year-old Norton, Judge Shipman told the defendant, "Murder for hire is an extremely atrocious crime and this case is exceptionally atrocious in that it involved the young son of the perpetrator himself. It is impossible to imagine what that four-year-old could have done to deserve having his life taken."

Norton was taken to Michigan City and has been on death row with seven other condemned prisoners since.

The Indiana high court ruling came in the death sentence appeal of Lester French of Lebanon, ironically the same city where Norton was from before marrying his wife. His family still lives there.

French was accused and convicted of the July 22, 1974 robbery of Pauline Hart's grocery store in Summitville. During the robbery, Mrs. Hart's granddaughter, Kathy Wylie, entered the store. French and Charles Martin were accused of taking Miss Wylie along with money and two cartons of cigarettes and then raped her, beat her with a pipe wrench and finally drowned her. She was 19 years old. French was found guilty of all four offenses plus carrying a handgun without a license in Henry Circuit Court on April 30, 1974.

French's death sentence was for first degree murder while engaged in the commission of a kidnaping. That circumstance, along with murder-for-hire, was one of a set of specific types of murders which the death penalty was mandatory under the now stricken Indiana law. Others included killing a police officer, corrections officer or firemen in the line of duty, killing by detonating an explosion, killing while committing rape, arson, robbery or burglary while having a prior conviction for any of those crimes, killing while trying to seize a public transportation vehicle like an airplane, or killing after being previously convicted of murder.

Called a "reluctant decision," the Hoosier high court unanimously rejected the death sentence of French but upheld the convictions 4-1 with Justice Roger O. DeBruler dissenting. DeBruler said he dissented because an attorney was not present when police got a confession from French.

The state court said it relied particularly on a North Carolina case in which the nation's highest court said the state had wrongfully made the death sentence mandatory and had failed to provide the jury with objective standards for imposing such a sentence and for applying them in consideration of the specialness of every defendant.

The state court's opinion, given by Chief Justice Richard M. Given, said the "U. S. Supreme Court . . . leaves the legislature, faced with the problem of fixing standards, upon the horns of a

dilemma. When are the standards for the imposition of the death penalty mandatory and when are they too broad and discretionary?"

"Although the writer of this opinion does not agree with the present reasoning of the United States Supreme Court, . . . we have taken an oath to support the Constitution as interpreted by that court" Justice Norman F. Arterburn wrote for the Indiana Court. He added, "We have no alternative, in view of the present statute and its similarity to the one in North Carolina, but to hold that the Indiana Statute is unconstitutional."

That statute was passed in Indiana in 1975 and was based on U.S. Supreme Court guidelines at that time which stuck down another state's death penalty because it gave the jury too much discretion to impose the death penalty.

DeBruler, in his dissenting opinion, said the Indiana law incorrectly interpreted the U.S. Supreme Court decision to mean "that all jury discretion to choose between death and life imprisonment was suspect." He added, "Discretion itself is not impermissible, but indeed is necessary. But the discretion must be exercised under objective standards which prevent arbitrary application of the death penalty and allow meaningful review of the sentence selection process." DeBruler also said he thought French should be given a new trial because he was improperly convicted.

The Indiana court's decision apparently spares the lives of all eight men who were awaiting execution at the Indiana State Prison under the 1975 statute, since they cannot be re-sentenced under a new law just passed by the legislature. It is assumed that all of their death sentences will be commuted to life imprisonment as each of their appeals come to court.

An official at the Indiana State Prison said Monday in a telephone interview that Norton and six others are still on death row, or "X Row" as prison officials call it. However, French has been moved out of that isolated cell area and is now in the regular prison area.

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French had not actually had a date for his execution set. His partner in the crime, Charles R. Martin, was scheduled to die on August 15. The last execution in Indiana was in 1957 when Richard Kiefer was electrocuted for murder. James T. Bonds' execution had been set for May 27, but that execution will not take place now, pending Bonds' court appearance on appeal.

The new law passed by the legislature, effective October 1, provides for a two trial process - one trial to determine guilt or innocence and a second one to determine if the crime warrants the death penalty. It is patterned after the most recent U.S. Supreme Court guidelines.

Benjamin Woody was given life imprisonment for the Norton murders after plea bargaining. That change of plea was allowed by the Parke County prosecutor's office in Blackford Circuit Court at Hartford City because Woody implicated Norton and it was mainly his testimony at Norton's trial which convicted the husband and father of the murder victims. Under Hoosier law, a person sentenced to life imprisonment is eligible for a clemency hearing in ten years. However, Blackford Circuit Court Judge Bruce Bade said that if Woody applied for clemency that he (the judge) would "do everything in my power to see that you are not released."

Presumably, Norton can also apply for clemency within ten years since Indiana law does not provide that a person can be given a life sentence without an opportunity to be released during that time.

Judge Bade, calling Woody "an amoral person, beyond rehabilitation," said he would not have agreed to the plea bargaining if he had not thought the Indiana death penalty law at that time to probably be unconstitutional.

Convicted criminals given life sentences must serve at least ten years before they can seek clemency. At that time they go

before a state clemency board and that board can recommend to the governor that the life sentence be ended. The governor could then set aside the life sentence and set a definite number of years to be served for the crime. The prisoner could be released after serving the stated number of years, although during that time he could also be eligible for parole. The clemency board also has the right to reject clemency in which case it would never reach the governor's desk. During such hearings the state board reviews the prisoner's conduct and also reviews the facts of the case of the type of crime he had committed.

The constitutionality of the death penalty was constantly brought up during Norton's trial by his Lafayette attorneys. Before the trial even began, they asked for dismissal, saying the death penalty was cruel and inhuman punishment. Judge Shipman overruled that objection and the trial was conducted under the then existing state law.

At Norton's sentencing the judge asked the defendant's attorneys if they could present mitigating circumstances surrounding the crime. Not allowing for mitigating circumstances was one of the reasons the Indiana law was ruled invalid.

Norton's attorneys refused to present such evidence, saying they were there only for sentencing procedure. Shipman told the lawyers that "the presentence report (on Norton) begs for the defense to present mitigating circumstances. The mandatory death penalty law is valid, but the attorneys can give mitigating circumstances if they desire." John Barce, assistant prosecutor of Benton County who helped the Parke County prosecution staff during the trial, said "It defies the imagination that the defense would not present mitigating circumstances if there were any or they ever intended to."

In sentencing Norton to death, Judge Shipman said Indiana does have a two part verdict system - the jury decides the guilt and the judge decides the sentence. The judge also said the jury had been given the opportunity to find Norton guilty of another crime than murder for hire which called for a mandatory death sentence. Those choices given in the judge's instructions to the jury were that they could find Norton not guilty, or guilty of second degree murder or voluntary or involuntary manslaughter. Woody received his life sentence after having his charge reduced to second degree murder.

Convicted murderers now on death row, in addition to Norton, Bonds and Martin are William Gaddis of Crawfordsville, sentenced in a Fountain Circuit Court for shooting a Crawfordsville police officer during a robbery; Ralph Murphy, Kokomo, convicted of shooting to death a mother and her eight-year-old son; William Lamar, convicted of murdering a 31-year-old woman; and Orlando Fair, convicted of the contract killing of two South Bend men.

Mother,

Police Probe

Norton Family

Stabbing Deaths

By HOWARD STEVENS,
CAROL THORLTON
Tribune Staff Writers

ROCKVILLE, Ind. — Authorities here Saturday continued a probe of a double slaying in which a Rockville mother and her four-year-old son were repeatedly stabbed.

Dead are Christine Norton, 26, and her son, Brett. The husband, Donald Norton,

27, told authorities he found his wife and son dead when he arrived home at approximately 4 a.m. Saturday.

Dr. Frank Swaim, Parke County coroner, said the victims died of repeated stab wounds in the chest. Swaim said he ordered an autopsy performed on the stabbing victims at Union Hospital, Terre Haute.

At the scene, Swaim said he found the body of the mother lying in a pool of blood in her bed. He said the woman was dead of "multiple stab wounds of the chest."

"The youngster had also been stabbed in the chest, repeatedly. Both victims were dead at the scene on North Virginia St., when I arrived," Swaim said.

A Barnes Funeral Home ambulance at Rockville removed the bodies of the mother and her son from the scene of the stabbing for examination at Union Hospital before 7 a.m. Saturday. Swaim said results of the autopsy will be forwarded to Parke County authorities.

Also called to the scene of the stabbing were members of the Rockville police department, Gary Cooper, Parke County sheriff, and a detective with the Indiana State Police department. Authorities Saturday were attempting to reconstruct what happened at the slaying scene and were also taking a statement from the father.

Young
Son
Slain

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over

Norton, officers said, is employed as a wholesale grocery salesman. They indicated that he is frequently away from home, calling on area customers.

The Norton apartment is located on the northside of Rockville. The stabbing shocked town's people who are not used to this type violence.

Mrs. Norton, a third grade teacher at Montezuma, was the daughter of Mr. and Mrs. Jack Brown, Hillsdale. The couple had recently moved to Rockville and the son was their only child.

The bodies were taken to the Brown Funeral Home, Montezuma.

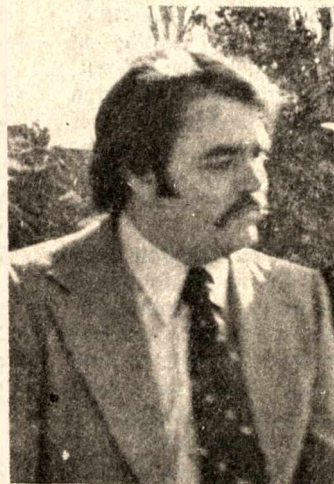
Detective Sgt. Lloyd Heck and police investigator Jerry Statler, said Saturday that no suspect is being held at this time. They placed the time of the slaying as sometime between 12:30 and 3 a.m. Saturday.

Friends of the dead woman described her as an excellent teacher with a warm personality. She was a graduate of Indiana State University.

Norton Now One Of Three On Death Row

Only three men now occupy the infamous "Death Row" at the Indiana State Prison at Michigan City. Recent court actions have released two of those formerly sentenced to die in the Hoosier electric chair - Charles R. Martin of Alexandria and William Gaddis of Indianapolis.

The three left include Donald "Chet" Norton of Rockville who was sentenced to die in December of 1976 by a Benton Circuit Court judge at Fowler in August of 1976. Norton was convicted of first degree, murder-for-hire, in the death of his wife and four-year-old son in January of 1976. Norton was found guilty of hiring Benjamin Woody of Montezuma to slay the two at their Rockville home for the \$600,000 worth of insurance Norton had on his wife and son.



"CHET" NORTON

Boone Superior Court Judge Paul H. Johnson formally vacated the death sentence of Martin Wednesday, October 19. Martin was convicted three years ago of rape and murder. Martin was to have been electrocuted August 15 of this year, but the execution was stopped by the Indiana Supreme Court which previously declared the Hoosier death penalty unconstitutional.

Martin will now serve a life

sentence. He and Lester French were convicted of the death of 19-year-old Kathy Wylie of Gaston during a robbery of her grandmother's store in Summittville. The pair were charged with kidnapping, raping and murdering the girl. French had his death sentence changed to life earlier this year.

The latest to escape the electric chair is William Gaddis, convicted of the fatal shooting of Crawfordsville police lieutenant Russell Baldwin. The Indiana Supreme Court ruled Thursday, October 20, that the death sentence must be vacated but the life sentence may stand.

The killing followed the August 27, 1974 armed robbery of a food store in Crawfordsville. Gaddis was sentenced after conviction of Judge Vincent F. Grogg of Fountain Circuit Court who presided in the case venued from Montgomery County to the court at Covington.

The Indiana Supreme Court said Gaddis argued correctly that he was given two sentences for the same killing - life for felony murder and death for first degree murder of a police officer.

Besides Norton, still on "Death Row" are Ralph Murphy of Kokomo, convicted of killing a mother and her eight-year-old son and burying them in a field near Kokomo, and James Bonds, alias Dan Morgan, sentenced in February of this year for murder in the kidnapping and death of 21-year-old Wilma Rosado of Valparaiso who was beaten to death while hitchhiking.

Indiana's last execution was just after midnight on May 1, 1951 when 28,000 volts snuffed out the life of convicted killer Richard Kiefer. The chair is built from the wood of an old gallows. It can now be used again since Indiana's new penal code, which went into effect October 1, corrects the old Hoosier death penalty to bring it into line with United States Supreme Court guidelines, making it constitutional. However, the death penalty can only be given for murders committed after the October 1 effective date of the new law.

As soon as Norton, Murphy and Bonds can receive hearings on their cases, their death sentences will have to be set aside and they will come off "Death Row" into the regular cellblocks to begin serving life sentences for their crimes.

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Motive Lacking In Two Rockville Stabbing Deaths

By JACK HUGHES
Tribune Staff Writer

ROCKVILLE, Ind. — A vicious double homicide here early Saturday claimed the attention of at least three police agencies throughout the day and into the night.

Still a mystery was the motive for the knife-slaying of a young mother and her four-year-old son, according to investigators who said money on a dresser was untouched and the woman had not been sexually assaulted.

Neither was there any sign of forced entry at the home of Mr. and Mrs. Donald K. Norton, 213 N. Virginia St., according to Parke County Sheriff Gary Cooper.

Norton, 26, arrived home about 4 a.m. Saturday to find his wife, Christine, also 26, and their only child, Brett, stabbed to death in their beds, according to his statement to police. An early report noted that the youngster had been stabbed five times in the chest and once in the back. His mother, who apparently had awakened and tried to fight off the assailant, had "many, many wounds" about the chest, arms and body, according to one officer.

The balance of Norton's statement was not revealed except for confirmation of a report that he had taken his family to dinner Friday evening and returned home, leaving about 8:30 p.m. Earlier, it had been reported that he is employed as a salesman for a Davenport, Iowa, cookware firm and this his work takes him from home in the evening and overnight from time to time. After his statement to police, he reportedly went to Lebanon to inform his parents and family of the tragedy.

Mrs. Norton's body was found in her bed and that of the child in his own bed in an adjacent room, according to reports which noted that post mortem examinations were conducted at Union Hospital in Terre Haute. The bodies were to be returned to Rockville and the

Brown Funeral Home where arrangements are pending.

The investigation was being pursued by Indiana State Police Sgt. Loyd Heck and Officer Jerry Stateler with both Sheriff Cooper's office and Rockville city police.

Cooper said the Norton home is just a few blocks from the jail and his office received the first call. Dr. Frank Swaim, Parke County Coroner, also participated in the investigation and released one of the early official reports as he ordered the autopsies.

The Nortons reportedly had lived in Rockville only a short time, having moved here recently. Mrs. Norton was an elementary school teacher at Montezuma, having been graduated from Indiana State University at Terre Haute. She was described as an excellent teacher with a warm personality.

Survivors in addition to her husband include her parents, Mr. and Mrs. Jack Brown of Hillsdale, and grandparents Mrs. Blanche Brown, also of Hillsdale, and Mrs. Mary Welch of Montezuma. Survivors of the child also include his paternal grandparents, Mr. and Mrs. Keith Norton of Lebanon.

Area residents, strangers as well as friends of the Nortons, found it difficult to believe reports of the double slaying, incredulous at the ferocity indicated by the description of the wounds which included small, stab wounds and long, slashing cuts. One investigator said the lacerations ranged from about a quarter-inch to six inches or more in length.

Indications were that a relatively small fixed-blade knife with a blade about three-quarters of an inch to an inch in width had been used. However, additional details awaited the autopsy reports and other areas of inquiry. The weapon had "... not been recovered" at the time of that report.

Another report stated that there were "... no suspects and few clues ..."

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Community Affairs File

Investigation Into Rockville Deaths Deepens

Crime & Criminals (Ind)
Jack O. Parke
T JAN 12 1978
Community Affairs File

By JACK HUGHES
Tribune Staff Writer

ROCKVILLE, Ind. — While the investigation of the weekend killing of a young Rockville mother and her four-year-old son seepened Monday, funeral arrangements were completed for the victims.

Services will be conducted 3 p.m. Tuesday for Mrs. Donald (Christine) Norton, 26, and Brett Norton at the Brown Funeral Home where friends may call after 4 p.m. Monday.

Seeming conflicts in information were being sorted out and clarified as this week began while investigators sought to pinpoint the times and the vicious knife slayings from medical and other evidence.

The weapon, believed to have been a fixed-blade knife with a blade nearly an inch wide and at least six inches long,

still had not been recovered and no suspects were identified.

A telephone call to MRS. Norton Friday night assumed some importance along with early information from the autopsies conducted at Union Hospital in Terre Haute by pathologist Dr. Jack Weinbaum.

While completion of analyses may take several days, direct evidence from the post mortems already is assisting the investigation.

On Monday, Dr. Frank Swaim, Parke County coroner, said that at the time of his initial examination of the victims at the scene about 4 a.m. Saturday, it could only be estimated that the deaths had occurred at an indefinite time several hours before that examination.

Subsequently, medical evidence indicated somewhere around midnight Friday as the latest possible time of the deaths in a period of about four hours prior to that hour.

However, the husband and father of the victims had told officials that he had taken the family to dinner about 7 p.m., returning them home before he left alone about 8:30 p.m., according to reports. He reportedly called authorities when he returned home again shortly before 4 a.m. Saturday.

While Dr. Swaim is inclined to lean toward an earlier time of death in the period under study, it has been reported that Mrs. Norton received a telephone call about 10 p.m.

A report Monday that she was believed changing clothes at the time of the attack, because of the fact that she was wearing underclothing, was termed very uncertain. The clothing was described as a T-shirt and panties which were sometimes worn as nightclothes. The dress she had worn to dinner had been put aside for the laundry and the T-shirt had not been worn with the dinner clothes, according to one investigator.

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Parke Probe

At Dead End

JAN 14 1976

ROCKVILLE, Ind. (Special) — For the first time in their lives, residents of this quiet, peaceful farming community are locking the doors of their houses.

In gatherings here on the square and in the service stations out on the highway, talk centers around one subject — the brutal, fatal knifing of a young mother and her four-year-old son Tuesday, the victims were laid to rest, but the memories linger on.

In reviewing the shocking double homicide, authorities are faced with more questions than answers. Who would plunge a knife repeatedly into the bodies of the young school teacher and her son? As far as is known, Christine Ann Norton, 26, had no enemies. It would be difficult to believe that her son, Brett, had crossed anyone in his young life.

Where is the murder weapon? Tossed in the Wabash River?

What is the motive? The violence of the tragedy even shocks lawmen.

Who were the poker playing buddies of the husband, Donald "Chet" Norton, who said he played cards at Montezuma until about 4 a.m. the morning

of the slaying? Residents allege the Friday night poker game has been going on for years.

Autopsies of the victims revealed that the mother was stabbed and slashed at least a dozen times in the chest. Her left arm was also slashed.

Knife wounds in the boy's body were deep and penetrating. One wound penetrated the body, chest to back.

Friends of the Nortons say the young couple had dinner at Clinton hours before the slaying and that they shopped at a market before returning to their home.

A third grade teacher at Montezuma, Mrs. Norton was described as "intelligent, pretty and warm." Classes at the school were cancelled on the day of the funeral.

As the case probe moved into the nitty-gritty stage, lawmen assigned to the case, talked less and less about it. No arrests were announced or expected at this time, they say.

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Parke Murders Baffle Valley Lawmen

By HOWARD STEVENS
Tribune State Editor

ROCKVILLE, Ind. — They said it couldn't happen here, but it did.

The most brutal, senseless kind of crime — the knife slashing murder of a young mother and her child — has left its calling card on this rural festival town known more for its warm hospitality than cold homicides. But it did happen here and Parke County residents don't like it.

"When you realize what kind of character is loose in the land — who would plunge a knife into the chest of a young boy, that shakes you up. I don't like it — I don't like it at all," Clelland Hanner, Parke County prosecutor, says.

Victims of a brutal crime mainly associated with urban sprawl are Christine Ann Norton, 26, a school teacher, and her son, Brett, 4, slain in their beds a week ago. The husband, Donald Norton, 26, told authorities he found the bodies of his wife and son when he returned home Jan. 10 from a round of all night poker playing at nearby Montezuma.

What are other Rockville residents saying?

"We never locked our doors, but we are now," Mrs. June Martin, Rockville, says.

Mrs. Norton, a dark-haired beauty, was not a likely murder victim.

"The last person I would pick to be murdered. She was a warm, sensitive person with an out-going personality. Her death was a shock — a tragedy," a school teacher friend said.

Gary Cooper, Parke County sheriff with the famous name, described the double slaying as "the worst act of violence I've seen as a lawman."

"Senseless. What kind of kook would plunge a knife into a sleeping child? Makes you wonder," he said.

There were all sorts of stories making the rounds at Rockville. Two, both gory, were denied by Dr. Frank Swaim, Parke County coroner.

"The boy's eyes were not

gouged out and an initial O was not carved on the mother's abdomen. Pathologists who examined the bodies made no reference to either story being circulated," Swaim reveals.

The initial carving rumor probably originated from a slaying of a young girl at Bloomington whose body, dumped from a car at Spencer, carried the markings of two initials, R and Z. That case is also unsolved.

The murder weapon, Swaim suggests, was a fixed blade knife, six to eight inches long. It has not been found.

Pathologists say the knife, probably a hunting knife, penetrated the heart and lungs of both victims.

Volunteer search parties who combed the highways leading from Rockville to Montezuma, for the most part, came up empty handed. They did find, Hanner notes, some old insurance papers belonging to Norton, but he attached little significance to the discovery.

Hanner also confirmed that Mrs. Norton received a telephone call from her husband's family hours before her death. The call established and adjusted time of death — medical evidence now placing the time as around midnight. Norton told John Jackman, first Rockville lawman at the murder scene, that he found the bodies shortly before 4 a.m., Jan. 10.

"We are at a stone wall. Officers are working feverishly, but there is nothing new to relate," Hanner says.

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Authorities

Crime and Criminals (Ind)

Husband Held In Connection With Stabbings

JAN 21 1978

By HOWARD STEVENS
Tribune State Editor

ROCKVILLE, Ind. — Donald Keith "Chet" Norton, 26, was arrested Tuesday in connection with the brutal slaying of his wife and four-year-old son Jan. 10.

Parke County Prosecutor Clelland Hanner, who announced Norton's arrest, said evidence will be taken before the Parke County Grand Jury Wednesday. When asked for a motive for the knife slaying, Hanner indicated that "insurance money" was involved.

Norton made an initial appearance before Parke Circuit Judge Earl Dowd Wednesday morning.

Norton was arrested Tuesday evening after Judge Dowd issued a warrant for first-degree murder. The warrant was issued following a lengthy probable cause hearing Tuesday by law enforcement officers before Judge Dowd. Norton is being held in the Rockville jail without bond.

Norton and another man, Benjamin Paul Woody, 27, Montezuma, are being held in connection with the murder of Christine Ann Norton, 26, and her son, Brett. The bodies of the young school teacher and her son were found in blood-soaked beds a week ago by the husband who told authorities he returned home from poker playing at Montezuma.

Woody, who was taken into custody late Saturday night, is being held in the Parke County jail in lieu of \$500,000 bond. Norton, meanwhile, was given a lie detector test, but the results were not announced.

Mrs. Norton, a dark-haired beauty, was found stabbed, in her bedroom. Her body bore multiple stab wounds.

The son's body was found in his bed dressed in his pajamas. He had been stabbed at least three times, one of the wounds penetrating his chest cavity.

Authorities said the back door of the Norton home was open, but nothing was missing from the house. Mrs. Norton had not been sexually attacked.

In an apparent search for the murder weapon, volunteers dragged the Wabash River with magnetic probes. They also used metal detectors along highways leading in and out of Rockville.

In statements to Gary Cooper, Parke County sheriff, and State Troopers Lloyd Heck, Dan Clevinger and Dennis Eslinger, Norton said he and his family had dinner at Clinton on the eve of the slaying. Norton said he and his family had arrived home shortly after 8:30 p.m. Jan. 9. He said he left in a short time and returned to Montezuma to play cards with friends.

Dr. Frank Swaim, Parke County coroner, placed the time of death as shortly before midnight. He said both victims suffered multiple wounds. Mrs. Norton's body also bore slash marks on the left arm.

Swaim indicated that the wounds were probably caused by a heavy knife, perhaps a hunting knife. He said the wounds penetrated the heart and lungs of the murder victims.

The grand jury is expected to hear evidence in the case most of Wednesday and Thursday. An indictment of both men is expected by week's end, Hanner said.

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Arrest Norton

\$600,000 Insurance Linked To Murders At Rockville

Crime & Criminals (Ind.)

5 JAN 23 1976

By RAY CRONIN JR.

Star Valley Editor

ROCKVILLE, Ind. (Special) — The husband and father of the slain Rockville mother and child recently purchased a \$600,000 life insurance policy on the victims, investigators have indicated. The insurance is believed to be a factor in the unannounced motive in the Jan. 9 slaying of the woman and her four-year-old son.

Meanwhile, indictments containing two counts of first degree murder each against Donald K. "Chet" Norton, 26, Rockville, and Benjamin P. Woody, 27, Montezuma, were returned Thursday in the stabbing deaths of Norton's wife and son, Christine Ann Norton, 26, and Brett

The indictments, made known Thursday by Parke County prosecutor Clelland Hanner, were handed down by a six-member Parke County Grand Jury, which convened Wednesday to hear evidence concerning the Jan. 9 knife slaying of the mother and her son in their home.

Some 10 to 12 witnesses were called before the jury, convened before Parke Circuit Court Judge Earl Dowd Wednesday. The insurance policy matter

was brought to the attention of the jury in its deliberations.

Hanner indicated that a search for the murder weapon, believed to be a hunting knife, was still being conducted. He described the state's case against the two men as "sealed."

Norton, now a salesman of Regal products, is a former salesman for The Prudential Insurance Company of America. He is listed as beneficiary of \$600,000 in insurance on his wife and son. The insurance was written by Prudential.

Authorities say they believe the son was killed after waking and witnessing Mrs. Norton's murder in her bedroom, where she was changing into night clothes.

Norton, a 1967 graduate of Lebanon, Ind., High School, attended Indiana State University for two years. His wife also was a graduate of ISU. She was the third grade teacher at Montezuma Elementary School and previously taught at Bridgeton Elementary.

Woody is a 1967 graduate of Montezuma High School. He was arrested late Saturday night, while Norton was arrested near Crawfordsville Tuesday.

Both men are presently being

confined at Parke County Jail pending further appearances before Judge Dowd in Parke Circuit Court.

Indiana State Police and Parke County Sheriff detectives have investigated the murders since Norton told Parke County Sheriff Gary Cooper Jan. 10 he came home about 4 a.m. and discovered the bodies of his wife and son.

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Search Continues For Weapon Used In Parke Slayings

By HOWARD STEVENS
Tribune State Editor

ROCKVILLE, Ind. — Parke County Sheriff Gary Cooper said Saturday that lawmen collectively, are putting in 150 hours a day running down leads in the stabbing death murder of a young school teacher and her four-year-old son.

Cooper said volunteers, sheriffs deputies and state police officers are still looking for the murder weapon in the waters of the Wabash River near Montezuma. He indicated that it is the third place lawmen have probed since the murder Jan. 10.

Held on first degree murder charges in the deaths of Christine Ann Norton, 26, and her son, Brett, are Mrs. Norton's husband, Donald Keith Norton, 26, Rockville, and Benjamin Paul Woody, 27, Montezuma, a poker-playing friend of Norton.

Norton and Woody have been indicted by a Parke County grand jury. A Veedersburg attorney, Donald Gibson, has been appointed to represent Woody as pauper counsel while Norton says he will get his own attorney.

Clelland Hanner, Parke County prosecuting attorney, Saturday denied that drugs figure in the slaying. He also denied that the defendants were members of a motorcycle gang.

Norton is described by authorities as the mastermind of the slayings and \$600,000 life insurance carried on the murder victims is given as the motive. Woody is described as an "erratic behavior type who often acted on an impulse."

Although the murder cases are on file in the Parke Circuit Court of Judge Earl Dowd, attorneys here concede that, in

all probability, the cases will be venued elsewhere. Gibson has not yet qualified in the Woody case.

Cooper also indicated that the news media has actually helped in the investigation causing many persons to come forward with information.

"The news media has been very helpful in the investigation. We are grateful," he said.

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Rockville Revisited

Crime/Criminal (Ind)

Grisly Slayings Leave Mark on Parke County

Ts FEB 1 1976

By HOWARD STEVENS

Tribune State Editor

ROCKVILLE, Ind. — Soon, Purple Cress, a wild flower, will bloom in the deep ravines which knife through Turkey Run State Park. Shortly, sugar water will flow from a forest of maple trees that dot the countryside.

Somewhere, off in the hills that slumber like old men, a wood fire spins off a delightful aroma that tickles the noses of men who live off the land. Sassafras tea and sarsaparilla are still taken by the natives and the Parke County Players, a community theater group, draws city crowds at the old Ritz Theater, who hoot and howl at their melodramas.

Covered bridges which creak in the night are king of the hills which rise up from Big Raccoon Creek whose waters run clear and cool. Mecca is down the road and Montezuma stands close to the Wabash River.

There is a deep sense of order here in the Hoosier hills — a mystic bond among men who dwell close to the soil. Parke people take pride in their town and generally speak well of their neighbors.

It is not uncommon for strangers to wave at passersby but all that was changed Jan. 10 when the bloody bodies of a young school teacher, Christine Ann Norton, 26, and her four-year-old son, Brett, were found stabbed and slashed in their beds. Before the grisly discovery, residents never locked their doors. Now they do.

At the Pastime Cafe, on the east side of the neat square, Clelland Hanner, Parke County prosecutor, takes lunch with Indiana State Police Detective Sgt. Loyd Heck. Heck, a 23-year veteran of the department, has lived with the Norton case since it exploded on this peaceful farming community.

A block and a half away, a Christmas tree stands forlorn and forgotten on the front porch of the Norton house. The curious still drive by, peering at the squat, brick house. A bird feeder at the back is desolate. Even the birds appear to shy away from the murder scene.

Since the slaying, most men folk here stay at home. Taverns, for the most part, are empty. Shock, dismay still rule the town.

One building, the courthouse, dominates the square. On a clear day, it's polished dome can be seen for miles. Inside the building, huge oak doors keep out the chill of January's cold.

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Down at the county jail, Sheriff Gary Cooper talks with reporters, but he doesn't say much. He's convinced that abandonment of the death penalty has encouraged brutal slayings like the Norton case. As he talks, he flexes an inch-wide leather belt.

"The deterrent is gone. The legal jockeying begins," he laments.

Behind a heavy door at the jail, two men wait for the wheels of justice to begin to roll. One, Donald Keith Norton, 26, husband and father of the victims, is described as the mastermind of the plot to collect an insurance bundle on the deaths of two he promised to cherish.

A bungler, Benjamin Paul Woody, 27, Montezuma, is also behind the door. The state believes Woody killed the boy when he awakened to see his father's friend slashing away at his mother.

Here in the hill country, it is the quiet time before spring. But since the bodies of the young school teacher and her son were found, life here has not quite been the same.

Parke Prosecutor Says He's Ready To Go to Court

FEB 4 1976

By HOWARD STEVENS
Tribune State Editor

ROCKVILLE, Ind. — The man responsible for prosecution of two men accused of the brutal slaying of a young school teacher and her son complains that defense counsel is attempting through a barrage

of discovery motions to "find out what is in our file."

"They are delaying formal arraignment and the setting of a trial date. We are ready to go to trial anytime," Clelland Hanner, Parke County prosecuting attorney, says.

Charged before Judge Earl Dowd, Parke Circuit Court, with first degree murder and murder for hire, are Donald Keith Norton, 26, husband and father of the murder victims, and Benjamin Paul Woody, 27, Montezuma, father of two. Norton and Woody are accused of the Jan. 9 slaying of Christine Anne Norton, 26, and her son, Brett, 4.

Authorities found the bloody bodies of the pair Jan. 10 when the husband said he came home from an all-night poker game and notified sheriff's deputies. Mrs. Norton's body was stabbed at least three times, one wound penetrating the chest and exiting the back.

Motive for the slayings, the state believes, is \$600,000 life insurance carried on the couple by Norton.

Hanner indicated Wednesday that he understood insurance investigators have been in Rockville investigating the case, but he admitted that they have not contacted him.

"I'm sure they would want to conduct their own probe in light of the large amount of insurance involved," Hanner said.

Representing Woody in the case is attorney Donald B. Gibson, Veedersburg, while Attorneys Carl Sandy and E. Kent Moore of the Lafayette law firm of Moore, Sandy, Moore and Deets represent Norton. The latter firm has filed a series of discovery motions with the Parke County Clerk's office.

Gibson qualified as pauper counsel while the two other attorneys were hired by Norton's parents.

Hanner has conceded that Norton is the alleged mastermind in the case. Although the murder weapon has not been found, Hanner says he can go to trial with a good case against the pair without it.

Hanner, who will try the defendants wherever the case is tried, is regarded as an excellent trial lawyer and prosecuting attorney. His track record, other lawyers admit, is better than his courtroom adversaries.

Moore, it will be recalled, was defense counsel for William Gaddis, who was convicted of the killing of a Crawfordsville police lieutenant. Gaddis was sentenced to die in June, 1975, but that sentence has not been carried out due to the U.S. Supreme Court decision barring the death penalty.

Gibson last defended Hubert Ferrier of Attica last year. Ferrier was convicted of first degree murder in the fatal shooting of a Lafayette man in an Attica bar.

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Charges & Comma's (Ind) Norton among death row inmates

T JUN 16 1980

MICHIGAN CITY, Ind. (UPI) — Five inmates currently on death row at the Indiana State Prison would be joined by two more men if prosecutors in murder trials now in progress have their way.

John Wall Jr. is on trial at Lafayette and James Lowery is on trial at Lebanon. Both trials began this week.

Cass County Prosecutor Tom Kragh told jurors in the Wall trial that the Hoover man should forfeit his life for his "monstrous acts" in the killing of five members of his own family.

Tippecanoe County prosecutor John Meyers asked jurors hearing the trial of Lowery, 32, Crawfordsville, to find him guilty of murdering two elderly people for whom he once was caretaker, and to sentence him to death.

The last person to die in the electric chair in Indiana was Richard Keifer, who was executed in 1961.

Five men now are under sentence of death, but there is no execution date for any of them. All five cases

have been appealed.

Two men from Indianapolis, two from Gary and a fifth from Parke County now are on death row. They are:

— Steven Judy, 23, Indianapolis, convicted in February 1980 of the rape-strangulation of Terry Lee Chasteen, 21, and the killing of her three children, whom he tossed in a creek to drown.

— Michael W. Daniels, 21, Indianapolis, sentenced to death in February 1980 on conviction of the murder of Maj. Allan H. Streett, 43, a chaplain at Fort Benjamin Harrison. Streett was shot to death as he shoveled snow in front of his home.

— Donald Norton, 31, a Parke County resident convicted in 1976 of hiring another man to kill his wife and child.

— Larry Hicks, 22, Gary, sentenced to death Feb. 4, 1978, for the Feb. 4, 1978, stabbing deaths of two Gary men.

— James E. Brewer, 22, Gary, sentenced to death March 1, 1978, for the slaying of Steven J. Skirpan, 29, in a home robbery in Gary.

Community Affairs File

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REFERENCE
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Norton escapes chair; *Crimes & Criminals (Ind.) (Ind.)* faces two life terms

T AUG 5 1980

INDIANAPOLIS (UPI) — A man convicted of arranging the murders of his wife and son has escaped the electric chair but still faces two life terms.

The Indiana Supreme Court decision came Monday in the case of Donald K. Norton, who was convicted as an accessory before the fact of two murders for hire in connection with the stabbing deaths of his wife, Christine, and their 4-year-old son, Bret.

Testimony presented in the trial was that Norton hired Benjamin Woody to kill his wife and child, on whom he was carrying \$604,000 in insurance, and that he later tried to arrange for the slaying of Woody.

The mother and child were slain in their Parke County home on Jan. 9, 1976. Norton was kept in the Montgomery County jail to separate him from Woody until the case was moved to Benton Circuit Court where the trial took place.

The Supreme Court noted that Norton's conviction came under a law it held unconstitutional in 1977 (*French v. State*) and which since has been replaced by another law. "It is clear that appellant cannot receive the death penalty for these convictions," the court held. "However this

does not entitle him to a reversal of these convictions."

"The death sentence is vacated and the cause is remanded with instructions to enter a sentence of life imprisonment on each count."

Woody testified that Norton hired him for \$57,000 to kill his wife and child, telling him the little boy was dying of leukemia and his wife would commit suicide if the boy died. Woody testified Norton wanted them killed "to put them out of their misery."

However, Woody said when he later learned Bret did not have leukemia, he came to police with his confession.

Norton's attorney raised 33 legal objections which were answered by the Supreme Court in a 35-page opinion written by Justice Alfred Pivarnik. One of the objections was to testimony by Steve Jones who said Norton, a day before the killings, offered him \$10,000 to kill Woody.

Jones testified he did not believe Norton but that after the murders of Mrs. Norton and Bret, he did believe him. He said Norton then raised his offer to \$50,000 for Woody's death saying he would be receiving some insurance money.

Norton challenged the admission of testimony by both Woody and Jones as being "subjective thought pro-

cess" but the state court said the testimonies were properly admitted.

He also challenged the admission of testimony by Ross Lock, manager of the Terre Haute district office of Prudential Life Insurance Co. because it dealt with the amount of insurance on the lives of Christine and Bret Norton.

Lock testified Norton worked for him from December, 1974 to October 1975 and during this time wrote several life insurance policies on his wife and son having a total value of \$604,000. "We think this evidence was relevant to show appellant's motive," Pivarnik wrote.

Norton also alleged the trial court erred in permitting questioning of Dixie Koester on redirect examination beyond the scope of cross-examination. The witness testified she and Norton had spent the weekend together at Davenport, Iowa, nine days after the murders of his wife and child.

"We think evidence concerning appellant's activities with Dixie Koester approximately one week after Norton's wife and son were murdered was highly probative on a number of issues, including Norton's motive," the court wrote.

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Parke Co. Sentinel 8-6-80
Crime & Criminals (Ind)

Court Rules Chet Norton Cannot Be Put To Death

The Indiana Supreme Court ruled Monday, August 4, that Donald "Chet" Norton of Rockville cannot be put to death for a murder-for-hire scheme in which his wife and young son were murdered in Rockville in January of 1976.

In a unanimous decision, the state's high court sent the case of Norton back to Benton Circuit Court with instructions that his death sentence be changed to life imprisonment on each of the two counts of first degree murder.

Norton was convicted on August 23, 1976 of hiring Benjamin Woody of Montezuma to murder his 26-year-old wife, Christine Ann, and his four-year-old son Brett. Woody was to get a share of the \$604,000 worth of insurance Norton had on the two. Woody stabbed them to death as they slept at their home at 213 North Virginia Street in Rockville the night of January 10.

Woody was arrested January 17 after confessing the crime to Mike Eslinger, who was then an Indiana State Police Officer and is now sheriff of Parke County. Woody admitted Norton hired him to kill the woman and boy and Norton was arrested January 20.

Norton's trial was moved from Parke County to Benton County. Judge R. Perry Shipman sentenced Norton to die in the electric chair after an 11-day trial in August of 1976. Calling the crime "exceptionally atrocious," Judge Shipman ordered that Norton should die in Indiana's electric chair on December 27, 1976.

Confined at the state prison at Michigan City, Norton won a stay of execution and his appeal was made on 23 issues, the main one that Indiana's death law was unconstitutional. The law has been declared unconstitutional but has now been replaced with one which legislators feel will meet the criteria for a death penalty law.

Norton was the last person left on the prison's death row, convicted under the old law. All the others, which numbered six when Norton arrived, have had their sentences commuted to life terms because of the United

States Supreme Court ruling on the unconstitutionality of the death penalty.

Justice Alfred J. Pivarnik, writing for the Indiana Supreme Court in the Norton appeal, noted that after Norton's trial the Hoosier murder statute was labeled unconstitutional. "Thus it is clear that appellant cannot receive the death penalty for these convictions," Pivarnik wrote. "However this does not entitle him to a reversal of these convictions."

With the court ruling, Norton will move out of the tight security of death row at the state prison into the general prison population. There he will join another person serving life sentences for murder in Parke County - Roger Drollinger, leader of the four men who committed the Hollandsburg murders in 1977.

Norton, Chet

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Woody sentenced to life imprisonment, no parole

Crime & Criminals (Ind)

Daily Clintonian 10-26-76

Benjamin P. Woody, 27, Montezuma, who confessed he was hired to kill Donald Norton's wife and son, was sentenced at 4 p.m. Monday to life imprisonment.

Blackford Circuit Judge Bruce C. Bade sentenced Woody to life in prison on two counts of second-degree murder for the deaths of Christine, 26, and Brett Norton, four, of Rockville. Judge Bade recommended to corrections officials Woody not be paroled or given clemency.

In a last-minute plea bargain arrangement last month, Woody pleaded guilty to second-degree murder just before the start of his trial. The case was moved to Hartford City, Blackford County, on a change of venue from Parke County.

Woody, in the plea bargaining, and during Norton's trial, admitted he was hired by Donald K. "Chet" Norton, 27, Rockville, to kill Norton's wife and son last January.

Norton was convicted on the murder-for-hire charge by a Benton County jury in August and was sentenced to die in the electric chair on Dec. 27. It was reported he hoped to collect \$600,000 life insurance on his

family.

Woody was unemotional and sat motionless as Judge Bade pronounced sentence on Woody for the Jan 9 stabbing deaths of the Nortons in their Rockville home.

As Bade announced the sentence at the session, he indicated he might have preferred the death penalty.

"Had the state's death penalty not been held unconstitutional, this might be a different case altogether. I believe you are beyond rehabilitation and therefore this court sentences you to life imprisonment on both counts," the judge said.

"We will recommend no release at any time. You probably are aware that you can file for clemency in 10 years, but this court and the prosecuting attorney will get a notice that you filed such a request. I will do everything in my power to be sure you are not released.

"You have humiliated and embarrassed your family, not to mention the act you committed which caused untold hardship," the judge continued.

The court-appointed defense counsel, Donald Gibson of Veedersburg, had the confessed

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MORE ABOUT

Woody

(Concluded from Page 1)

murderer read a poem composed shortly after his incarceration which showed an "obvious turn to spiritual need."

Woody also told the judge he "found Christ" and would request to start a prison program "of tours to high schools to tell them that beer and drugs are harmful. This is my strongest desire. I've done something wrong and must do something for the people," Woody said.

But the judge told Woody he (Woody) "would be surprised how many convicted criminals go through the courts and how much religion they suddenly acquire.

"I'm not discounting the religion testimony you've made. I'm just simply not going to consider it. Nothing you could ever do would bring these people back. No amount of time you could serve would help this situation," the judge concluded.

John Dowd, deputy prosecutor appeared in court Monday. Clelland Hanner, Parke County prosecutor, could not be at the sentencing.

Dowd said the life sentence was what the prosecution expected for Woody for his part in the double slaying.

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Norton, Woody Accommodated

Murder Trial Sites Picked By State, Defense

TS APR 4 1976

By HOWARD STEVENS
Tribune State Editor

GREENSBURG, Ind. — If he were free to go where he pleased, this community would probably be the last place in the world Donald Keith Norton would choose to visit. But, Norton, 26, Rockville, accused by the state of the Jan. 10 slaying of his wife and son, has no choice—he's in jail awaiting trial.

Located in historic Decatur County, Judge John Goddard will hear the case against Norton June 7. The old courthouse, constructed in 1854, is known throughout southern Indiana as the one with the aspen tree growing out of the tower.

Clelland Hanner, Parke County prosecutor who will try Norton, says he will use 10-15 witnesses in the first-degree murder case. Hanner has described Norton as the "mastermind" of the plot and he estimates the trial will last at least two weeks.

Co-defendant in the brutal knife slaying is Benjamin Paul Woody, 27, Montezuma, who, along with Norton, faces a first-degree murder and a murder-for-hire complaint. Woody will be tried in Hartford City, Blackford County, June 28 before Judge Bruce Bade.

Woody, father of two children, remains in the Parke County jail at Rockville because Hartford City has no jail. Hanner says Woody is alleged to have murdered Christine Ann Norton and the couple's son, Brett, when he was promised insurance money Norton had taken out on the couple.

The bodies of the pretty school teacher and her four-year-old son were found by Norton when he returned from a night of poker playing at Montezuma. Mrs. Norton was repeatedly stabbed in the chest while knife wounds were found in the heart and lungs of the youngster.

A third grade teacher at Montezuma, Mrs. Norton graduated from Clinton High School and Indiana State

University. Fellow teachers described her as a "charming, sensitive person—an excellent teacher."

Hanner describes Norton as the "swinging type."

"He always had money and he went first class. He drove sport cars and we have discovered he had lots of girl friends."

When he was arrested, Norton was driving to his parents' home at Lebanon. A grand jury indicted both men Jan. 22, each on a charge of murder for hire—one of seven charges in the state that can result in the death penalty. Hanner has said that he will seek the death penalty against both defendants.

Sheriff Gary Cooper of Parke County terms the twin slayings as "among the most vicious I have seen." A search for the murder weapon, believed to be a hunting knife, was called off after Woody apparently pointed out conflicting spots where he tossed the knife.

A one-time insurance salesman, Norton is said to have written \$600,000 worth of life insurance on his wife and child. Hanner believes only Mrs. Norton's death was commissioned, but that the child awakened and witnessed his mother's death and his father's friend in the house, located a block from the county jail.

In other developments, Hanner discounted reports that a third party is involved in the case. He also indicated that a small dog, a pet of the murdered woman and her son, is still missing and presumably dead.

Hanner said a television set permitted Norton in his cell at Rockville has been removed from his quarters in Decatur County as well as the defendant's belt. Assisting Hanner at the Norton trial will be William Robbins, Decatur County prosecuting attorney.

Defending Norton will be Attorney Carl Sandy of Lafayette, while a Greensburg law firm, Wickens, Wickens and Wilke, will assist in the defense.

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Norton Trial To Go To Jury

T AUG 23 1978

Crime & Criminals (Ind)
FOWLER, Ind. (Special) — The Norton murder trial was expected to go to the jury Monday following final arguments and instructions to the jury in the trial of a Rockville man accused of hiring the killer of his wife and son.

The trial was venued here from Parke County Circuit Court Donald "Chet" Norton, 27, is the defendant, accused of employing Benjamin Paul Woody, 27, of Montezuma, to kill Christine Norton, 26, and four-year-old Brett.

Woody has confessed the brutal stabbing murders which occurred on the night of Jan. 9-10 in the Norton Virginia Street home in Rockville.

Woody told the court and jury of six men and six women, that Norton hired him to do the murders and promised to pay more than \$50,000 when insurance settlements on the deaths were made.

Woody also testified that after committing the crime, he became frightened that Norton was planning to have him killed, so he confessed to Parke County authorities and asked for protection.

Steve Jones, Rockville schoolteacher, testified that Norton, on two occasions asked him to kill Woody and offered him a large sum of money if he would do it.

Before court closed for the

weekend Friday Jack Jones, Hillsdale, father of the slain woman, testified that Norton was away from home a great deal and the young son, Brett, preferred his mother and grandparents over his father.

Clelland Hanner, Rockville, who is prosecuting the case with the assistance of John Dowd, deputy prosecutor, will probably make his final arguments in the case Monday afternoon and it is anticipated the jury will begin their deliberations sometime Tuesday.

Woody is scheduled for trial on the two counts of murder in the Blackford County court Sept 7 at Hartford City.

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Norton Pre-Sentence Check at Plainfield

Crimes & Criminals, Ind.

AUG. 26 1976

Donald K. "Chet" Norton, 27, Rockville, who was found guilty of hiring another man to kill his wife and child, will be undergoing pre-sentencing psychiatric investigation next week while Benjamin Paul Woody, 27, Montezuma, the man who stated in Norton's trial that Norton had hired him to kill his wife and four-year-old son, prepares for his trial starting Sept. 7 in Hartford City.

Norton, who was found guilty of the murder-for-hire charge early this week by a Benton County jury, will leave the Benton County Jail Monday for a pre-sentence investigation at the state diagnostic center in Plainfield, according to Benton Circuit Court Judge R. Perry Shipman. Judge Shipman said Norton will be returned to Benton County late next week and he plans to pronounce sentencing within a week after

his return.

Norton could be sentenced to death in the electric chair since he was found guilty of murder for hire, which carries the same range of penalties as first-degree murder. Prosecutors have asked for the death penalty.

Woody's trial is to begin in the Blackford County Circuit Court Sept. 7.

In Norton's trial, Woody testified he committed the double murder of Christine Norton, 26, an elementary teacher at Montezuma, and her four-year-old son, Brett, last January 10. Woody said he performed the murders after Norton promised to give him half of a large insurance policy on his wife and son. He claimed he was motivated by fear that Norton had Mafia connections and that his own wife and children would be killed if he did not carry out the murders.

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2, 1976.

S DEC 22 1978

Hoosier Crimes Decrease

INDIANAPOLIS (AP) —

Serious crime reported in Indiana's six largest cities dropped slightly the first nine months of this year, led by a sharp decrease in violent crimes, the FBI said Tuesday.

The decrease over the first nine months of 1975 was a combined .8 per cent for the cities of Indianapolis, Fort Wayne, Gary, South Bend, Evansville and Hammond.

Nationally, serious crime increased 2 per cent.

Gary had the biggest drop — 5.5 per cent — while Evansville showed the largest increase — 10.6 per cent — mainly because of a big jump in larceny-theft cases.

Serious criminal offenses reported to police were down 5.3 per cent in Hammond and 3.3 per cent in Indianapolis. They increase 5.1 per cent in Fort Wayne and .75 per cent in South Bend.

The violent crimes of murder, forcible rape, robbery and aggravated assault dropped 9.2 per cent in the six cities overall, compared with a 5 per cent decrease nationally. The property crimes of burglary, larceny-theft and motor vehicle theft were up .1 per cent in Indiana.

Rape, assault and larceny-theft were the only offenses included in the FBI report to show an increase. Rape was up 9.4 per cent, reflecting increases of 61 per cent in Fort Wayne and 41 per cent in South Bend.

Larceny-theft was up 5.3 per cent, mainly because of Evansville's 33.6 per cent jump, while assault was up 6 per cent.

The other categories showed 15.6 per cent fewer murders, including a 35 per cent drop in

Gary, and 20.1 per cent fewer robberies. Of property crimes, burglary was down 8.6 per cent and vehicle theft down 3.9 per cent.

All six cities showed a decrease in robberies, led by a near 40 per cent drop in Evansville and 24 per cent drop in Indianapolis.

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REFERENCE

Community Affairs File

'Chet' Norton takes stand in murder - for - hire trial

Daily Clintonian 8-18-76



IN TIGHT CUSTODY - Donald "Chet" Norton, on trial for the dual murders-for-hire of his wife and son, is led by Benton County Deputy Sheriffs from the court house to his jail cell during a court recess. Norton is kept handcuffed during all transportation to and from the court house, but is not cuffed during court proceedings.

Crime + Criminals
Breaks down

describing
Community Affairs File
murder scene

Donald "Chet" Norton, 27, on trial for his life, took the stand today in his murder-for-hire trial, refuting testimony by two key prosecution witnesses. Norton was the first person called by defense attorneys who began calling their witnesses today.

Norton's testimony conflicted that given earlier this week by Rockville High School teacher Steve Jones, and by admitted killer of Norton's wife and child, Benjamin Woody, 27, of Montezuma.

As court opened this morning the prosecution officially rested their case.

Conservatively dressed, Norton, who is charged with two counts of murder-for-hire nearly broke down once today when describing his discovery of his wife Christine, 26, and four-year-old son, Brett's bodies.

His voice shaky, fighting tears, Norton told how he found his wife's blood covered body in the bedroom of their Rockville home early in the morning of Jan. 10. He described how he ran to his son's room, turned on the light and found his son's still warm body.

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Community Affairs File

over

He told the jury "he was just lying there." I picked him up in my arms carrying him - just walking around, shaking him.

Minutes before at approximately 3:45 a.m. Norton returned home after an evening of drinking beer, playing pool, and poker.

Norton testified he pulled into the driveway at his home, got out of the car, opened the garage door and drove the car into the garage. The garage and house are connected.

Norton described his feeling upon entering the house as "wary." The back door, which he said was never left open, stood ajar, he said, Mrs. Norton's purse was atop the kitchen table. Next to it was a note from Christine saying his father had called him earlier in the evening. As he moved from the kitchen to his bedroom Norton said he glanced into his son's darkened room. He noticed nothing wrong.

Entering his bedroom, Norton said he noticed his wife was lying on the wrong side of the bed. The lights in the room were off.

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Column 3

MORE ABOUT

'Chet' Norton

(Concluded from Page 1)

"I said something like 'Honey, what the hell did you leave the back door open for.'"

There was no response. Norton turned on the light and saw his wife lying on her back.

"She was lying there. She was all bloody - just dead. I ran over beside her, put my hand on her. She was cold." As he spoke, Norton's voice was shaky.

After finding his son's body, Norton said he carried the child into the bathroom, flipped on the light and was "going to wash his face. His little mouth wouldn't close. I didn't know what to do with him. He was still warm."

Norton testified he took the child into the bathroom after calling the operator and telling her to send police and an ambulance to the Norton home.

After his futile attempt at cleaning the child's face, Norton said he carried his son to his wife's bed, laid him down near his wife and lay down beside them, putting his arms around them.

When he got up, he said he went to the front door, opened it, and then the police arrived.

A Rockville policeman was the first to arrive at the Norton home.

Norton described his own emotional state as "really shaken up. I asked, 'What's happened here! I kept saying 'who would do that to a four-year-old boy' '"? Norton was still carrying Brett when police arrived.

A police officer told him to put the child down to sit down at the kitchen table to talk. Norton put the child at the foot of his wife's bed.

Norton explained further events of Jan. 10 which were described Tuesday by State Police Detective Sergeant Lloyd Heck. Norton accounted for what Heck indicated in testimony indicated, was an unusual delay in notifying next of kin.

Rather than calling Mr. and Mrs. Jack Brown, Christine's parents, and his own parents, Mr. and Mrs. Keith Norton of Lebanon, by phone, Norton decided to inform them personally of the deaths.

When police completed questioning Norton the morning

of Jan. 10, he said he drove to the post office where Jack Brown worked. He asked to see Brown.

Brown entered Norton's car and Norton told him his daughter and grandson were dead.

"I thought he was going to have a heart attack. He kind of doubled up."

Immediately after speaking to Brown, Norton drove to Lebanon, according to testimony this morning. He broke the news to his parents at their Lebanon home.

At the time, he was "still acting in shock." He testified he was "hurt, upset, mad."

Asked by defense attorney Kent Moore if he was angry, Norton replied, "Very much so."

"Did you express your anger," Moore asked. Norton replied, "Yes."

Delving into a situation described in Monday afternoon testimony, Norton told about a phone conversation which he had Jan. 10 with Jones, a prosecution witness.

Jones testified Norton asked him during that conversation to murder the person responsible for his son and wife's death.

Norton said he still doesn't know why he called Jones. The two were no longer "friends."

"He always thought a lot of Chris," Norton said. It was Jones who introduced Norton to Christine, when the two were Indiana State University students during 1967.

Both Jones and Norton testified. Jones asked the defendant if he knew who the murderer was. Their testimony differed at that point.

Jones said Norton replied "yes." Norton said today he asked Jones to "keep his nose or ear to the ground to see if he saw or heard anything different in anyone's behavior which might point to the slayer."

Norton testified his mother, father and aunt were sitting at the table next to him when he placed the call. He also said Parke County Sheriff Gary Cooper was notified about his location Jan. 10.

He said he called Sheriff Cooper again Sunday, Jan. 11, after seeing an article in the Indianapolis Star. The article quoted Sheriff Cooper as saying insurance money could be a motive in the killings. Questioning Cooper about his comments, Norton said the sheriff never satisfactorily explained his statement to Norton.

When Norton first took the stand he was questioned in detail about the insurance policies which are regarded by the prosecution as key motive in the case. The policies, Norton said, served as financial protection for his family. The \$50,000 policy on Brett would serve as a college fund, collecting cash until the funds were needed.

Norton was employed as an agent of Prudential Insurance Co. of Terre Haute from Dec., 1974, to October, 1975.

He testified he quit the Prudential job because "he didn't like working for my boss."

To help boost his income and to provide adequate insurance for his family Norton said he purchased six insurance policies. The first was \$100,000, five year renewable, convertible terms policy, purchased Dec. 16.

The amount was based on a Prudential guide for recommended insurance coverage.

In January, 1975, Norton converted his \$100,000 to a \$150,000 policy.

In February, 1975, Norton purchased the same type policy, which included triple indemnities, accidental death benefits for his wife.

He said his wife agreed to his insurance plan.

"If something happened to both of us, or either one of us, the other could quit work and take care of my son," Norton said, explaining the purchase.

A \$10,000 policy was purchased for Brett. After considering the amount of money he would need to send Brett to college Norton said he decided to change Brett's coverage to \$50,000. The child's policy did not include accidental death benefits.

The policies were "the good way to save money," Norton said. Norton also had disability insurance and added a \$105,000 rider on the husband and wife policy.

The defendant said several people knew about the amount and type policies he carried on his family.

"I used to tell them (potential customers), if I didn't believe in it, (the insurance policies) I wouldn't have bought it for

myself."

Among those who were aware, Norton said, of his insurance policies were Jones and Woody, admitted killer of the Nortons.

Norton described Woody as a disabled Vietnam veteran who apparently displays no disabilities.

"You couldn't tell by his actions. I've seen him bowl, play basketball, and he's the best darn arm wrestler around." He added, "Woody played pool better than most people I've seen."

Woody frequently did "wheelies" on his motorcycle, lifting the front wheel off the ground and riding a third of a block on the cycle's back wheel. He also was good, Norton said, at "surfing." Norton described surfing as balancing feet on a motorcycle seat while standing straight up, traveling down the street, without touching the handlebars.

Another attempt to discredit Woody's credibility, Norton said Woody was involved in a dope deal.

In other testimony Woody stated it was Norton who was involved in at least one dope transaction.

The controversy surrounds the rental of a red 1975 Pinto from Indianapolis Jan. 9.

Norton said today Woody asked Norton to lend him his car because "he had some dope he was getting. He had some marijuana and LSD. He started to tell me something about it, and I told him I'd rather not hear anything about it."

Norton would not let Woody borrow his car. He recommended, however, Woody try to rent a car. He said Woody tried, but was unable to obtain a car from a Terre Haute rental agency.

Norton drove Woody to Indianapolis, leaving Montezuma about 9:15 a.m. Jan. 9, the day of the murders. Woody obtained a 1975 red "Pinto or Maverick" at Weir Cook airport.

According to Norton, Woody said he was to leave the car at Holiday Inn at Terre Haute.

Last Friday afternoon Terry Cox, 22, Dana testified he accompanied Woody from Terre Haute's Holiday Inn to Indianapolis On Jan. 10 to return a red Pinto rental car.

Cox testified Woody said he was to be paid \$1,000 for driving the car to Terre Haute, and mentioned Woody saying "something about cocaine."

After returning from Indianapolis and dropping Woody at Dee's Tavern, Norton said he picked up his son at "grandma's" and "as Brett said 'we went foolin' around.'" "Fooling around" meant driving around, letting Brett guide the car, talking and spending time together, Norton said, explaining his son's phrase.

Father and son went to Montezuma Elementary school where Christine was employed. It was after school hours, and Norton said he told Brett to run ahead and greet his mother, who was wiping the chalk board.

The Nortons had a message to call Chuck Beamis, Rockville, about a dog he had found. Mrs. Norton had placed an ad in a Rockville paper after the Norton Pekingese had disappeared some time around Jan. 1. The couple stopped at the Beamis home, but the dog was a young German Shepard puppy, not the Pekingese.

Next, the Nortons cashed Mrs. Norton's check at a bank. About \$220 to \$230 was placed by Mrs. Norton in her purse.

Next, they took their car to

Tom Barr Chevrolet, Clinton, and then returned home where Norton showered and changed clothes. Between 6:30 and 7:45 p.m. the three Nortons ate dinner at the Roma Restaurant in Clinton.

Norton said he left the home "to go have some drinks and play cards" about 8:30 p.m. Mrs. Norton planned to remain at home and watch "Chief Joseph" on television.

"She asked if I would like to stay and watch TV. I said I'd like to go for some drinks and play cards."

That was the last time Norton saw his wife alive.

Judge Shipman started this morning proceedings by denying defense counsel motion for a directed verdict. Moore explained the request.

"It is our contention, given the state's case and all the evidence they produced, there has been no mention that Woody was in fact hired. The promise of money is not hiring according to the statute," Moore said.

The prosecution would be on firmer grounds Moore said, if it had charged Norton with being an accomplice to murder.

Moore's interpretations of the contract was "too strict."

Judge Shipman said his duties as Judge is not to "waive evidence or take the creditability of witnesses into account." That is the duty of the jury he said.

Indiana State Police Detective Sgt. Lloyd Heck was the prosecution's last major witness. Testifying for about three hours Tuesday afternoon, Heck described the number and type of wounds found on the bodies of Christine and Brett Norton.

He also showed to the jury the bloodstained nightclothes worn by the victims, taking special notice of the number of rips in each garment.

The courtroom was quiet, almost spellbound, as Heck matter-of-factly related the conditions of the two bodies. Norton, sitting with his back to the audience and visible to the jury, sat tensely at a table to the left of his attorneys, looking away as each bloody bed garment was raised for the jury's inspection.

Deputies sat posted at all possible courtroom exits.

Unlike the sheets of his mother, 4-year-old Brett's sheets contained no rips. The colorful football motif designs contained, however, large bloodstains where the child's chest lay.

Brett sustained five stab wounds to his chest. His blood-stained T-shirt, brown with blood, showed one small rip $\frac{1}{2}$ inch or less wide beginning on the right side mid-way to the shoulder, to the tip of the shoulder. The width of the knife thrown in the Wabash River by Woody, an identical twin knife owned by Norton, was $\frac{3}{4}$ ths of an inch at its widest, tapering to a point.

Brett's pajama tops showed five rips on the front and a small rip on the back, approximately $\frac{1}{2}$ inch wide on the right side.

Describing Mrs. Norton's body, Heck said, in his opinion she fought for her life, using her arm to block the fatal knife blows. A pathologist found "eight irregular marks on her inner and outer left wrists" of undetermined origin. She also had cuts on her left and right forearms, and on her left and right index fingers.

Heck described the numerous stab and open wounds on Mrs. Norton's scalp, along her hair line and on her upper chest. Showing the jury the short, navy

and white horizontal striped T-shirt Mrs. Norton was wearing when killed, Heck fingered seven rips in the front of the t-shirt. No rips were in the back of the now blood-brown and blue striped top.

Also shown were Brett's and Mrs. Norton's blood-stained underpants, and Brett's pajama bottoms. No rips were in those

Completed on Page 10
Column 7

MORE ABOUT

Norton Trial

(Concluded from Page 7)

three items.

Also explored in detail were the whereabouts of two keys to the Norton home. Heck said he received one key to the house, a silver key, on a ring attached to a blue-grey trinket, from Norton. Norton took the key from his pocket and gave it to Heck on Jan. 10, he said.

A second key, however, was obtained from Norton when he was arrested on Jan. 20. That key, gold in color, was offered into evidence by the prosecution, which contended the key was relevant over protest of the defense council. Prosecution pointed out Woody had testified a similar key was left by Norton for Woody to enter the Norton home on Jan. 9.

Corroborating other testimony given earlier in the trial, Heck confirmed Rockville High School teacher, Steve Jones, was working with the police when he talked to Norton about killing Woody. Jones came to the Parke Co. jail and voluntarily told police about being approached by Norton as a potential hired killer the day of the Nortons' funeral.

Heck also supported Woody's story about leading police to the Wabash river bottoms, $1\frac{1}{2}$ miles north of Montezuma. Police found a green garbage bag hidden in the roots of a large tree overlooking the river's east bank. The bag was visible only by crawling along the side of the bank.

"It was well-hidden," Heck said.

Hidden in the bag were a ski mask, sunglasses, a knife sheath, coveralls, 8-inch zipper boots, and a handful of white Holiday Inn towels. The items were allegedly used by Woody in the murder of the two Nortons. The knife was thrown into the Wabash river and has not been recovered.

Also recovered Jan. 20, were three pieces of a man's shirt, laying about 15 to 20 feet apart on the river bank. Gloves were found in the third row of a corn field and in a thicket $\frac{1}{2}$ to $\frac{3}{4}$ mile east of the Wabash River.

In telling about his investigation of the murders, Heck said he spoke to Dixie Custer, Lincoln,

III.

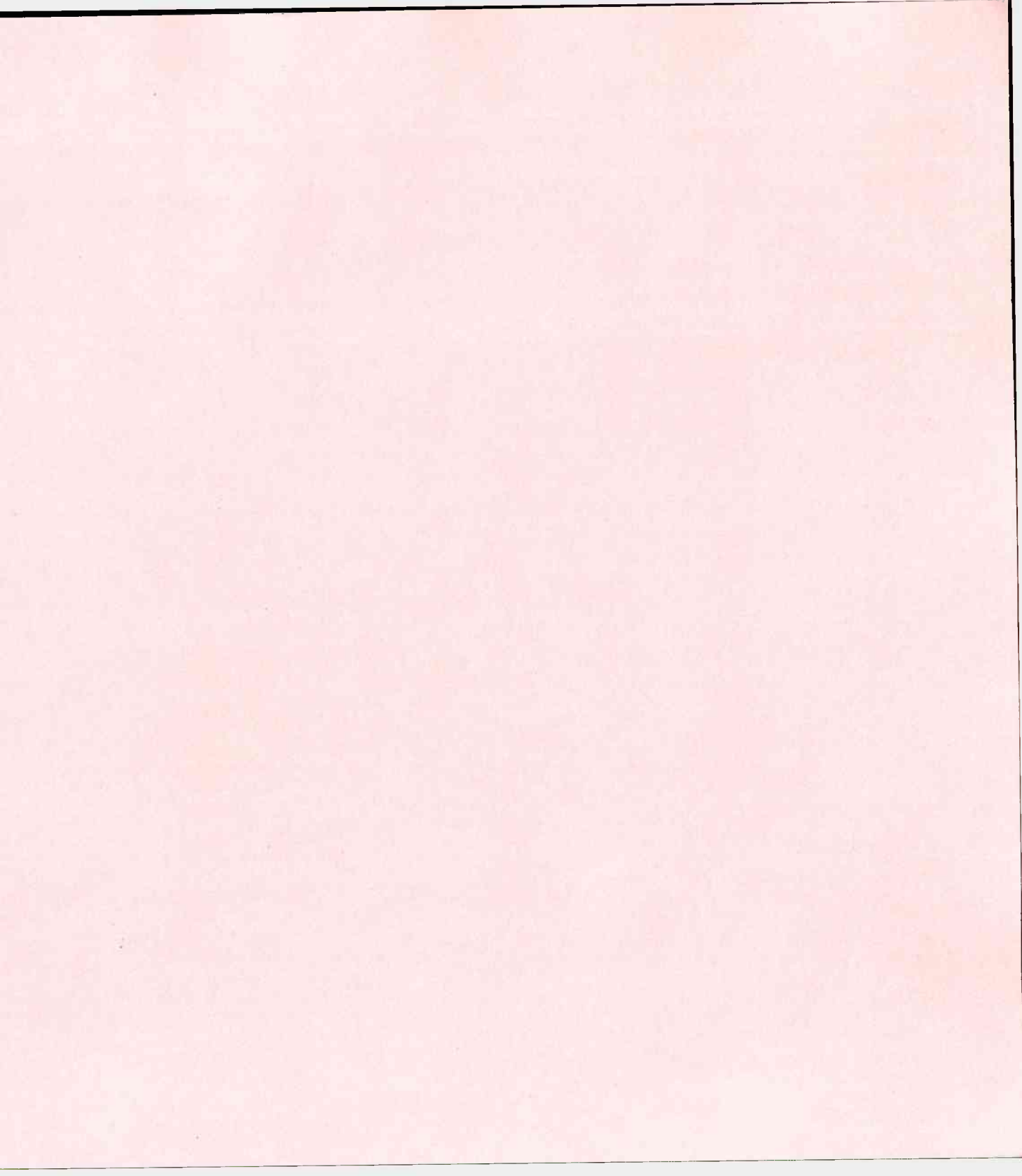
She made three phone calls between 8 and 9:30 p.m. Jan. 9, day of the murders. She later received a phone call from Keith Norton, the accused father. Miss Custer was purchasing Norton's dark maroon Corvette. It was delivered to her home by Norton's father Jan. 20.

Entered into evidence Tuesday were two ads displayed in Rockville Newspapers Jan. 5th and Jan. 7th. Placed by Christine Norton, the ads were for information about the Norton's missing dog.

Asked by the defense council whether Norton was cooperative, Heck agreed the defendant took a lie detector test Jan. 15, the earliest date the test could be arranged.

Although Norton left Parke County Jan. 10 to visit his parents in Lebanon, he called Parke County Sheriff Gary Cooper and told him where he could be reached, Heck said.

Norton did not fail to respond whenever he was needed by the police, Heck concurred.



Norton Execution Set

Crime & Criminals (Ind) Community Affairs File
Dec. 27 in Slayings

IT SEP 14 1978

FOWLER, Ind. — A one-time insurance salesman, Donald 'Chet' Norton, 27, Rockville, was sentenced Monday to die in the electric chair for his role in a murder-for-hire scheme.

Passing sentence was Benton Circuit Court Judge Perry Shipman who ordered Norton executed Dec. 27. Norton was convicted Aug. 24 during a three-week trial in which the state charged that Norton hired another man to kill his wife and son Jan. 10 in the couple's Parke County home.

Before passing sentence, Shipman described Norton's role in the brutal slayings as "an extremely atrocious crime."

"It is almost impossible to conceive that anyone would contract for the taking of the life of his own young child," the judge continued.

Norton, a huge, bearded man, showed no emotion as Shipman ordered him to be remanded to the Indiana State Prison at Michigan City. The convicted man's attorney, E. Kent Moore, said an appeal is planned.

Waiting trial in Blackford Circuit Court, Hartford City, is Benjamin Paul Woody, who, the state charges, carried out Norton's contract on his wife, Christine, and the couple's son, Brett. Woody, 28, Montezuma, will go on trial

Sept. 29. He has pleaded innocent by reason of insanity.

Woody testified that Norton promised him part of \$600,000 insurance Norton had taken out on his wife and son months before the slayings. The bodies of Mrs. Norton and her son were found in their beds in the Norton home located two blocks from the Rockville square.

The state charged that Norton provided Woody with the knives used in the slayings plus a key to the home. Norton said he found the bodies when he returned home from a night of card playing.

Woody testified that he turned himself in when he learned that Norton had put out another contract on his life. Two Parke County men testified that Norton had talked with them about murdering his wife and son.

Preceding the sentencing, an hour-long legal argument involved both defense and state over the constitutionality of Indiana's death penalty. The defense argued that the death penalty is unconstitutional 'because of its mandatory nature.'

The judge noted that pre-sentence reports on the defendant described him as 'extremely self-centered' and away from home a great deal. It also noted that Norton had a girlfriend in Illinois and visited her shortly after the killings.

**REFERENCE
DO NOT CIRCULATE**

Vigo County Public Library

Community Affairs File

Norton Due in Court

To Face Sentencing

- Community Affairs File -

SEP 13 1976

Crimes & Criminals File 9nd
FOWLER, Ind. (Special) — Sentencing of Donald K. Norton, who was convicted last month for the first degree murder of his wife and son at the hands of a hired killer, was scheduled for Monday afternoon in Benton Circuit Court at Fowler.

Judge R. Perry Shipman had previously set Monday, Sept. 13, for the sentencing of the Parke County man.

Prosecutors in the case have said earlier they would seek the death penalty.

The Norton murder trial ended Aug. 23 in the Benton County court with the first degree murder conviction for the stab-

ing/deaths of Norton's wife, Christine, and the couple's four-year-old son, Brett.

A jury of six men and six women returned the guilty verdict against the 27-year-old Rockville man as the climax to a two-week trial that saw Benjamin P. Woody, 27, testify that Norton had hired him to perform the murders.

The bodies of Norton's 26-year-old wife and son were found in their Parke County home Jan. 10.

Woody testified during the trial that he committed the murders at Norton's request in exchange for assurances that Norton would share with him part of the \$604,000 in life insurance on Mrs. Norton and her son.

Woody's own first-degree murder trial had been scheduled to begin Sept. 7 in Blackford Circuit Court in Hartford City. However, his attorneys filed a defense of temporary insanity and psychiatric tests were ordered. The trial date was therefore changed to Sept. 29.

Woody had testified that Norton instructed him to enter his home in the middle of the night and stab the sleeping victims.

Norton denied those charges on the witness stand. Norton's attorneys claimed Woody was a "very sick man" who implicated Norton because he was unable to accept sole responsibility for the crimes.

Parke County Prosecutor Cleland Hanner said, however, the the insurance money was a motive for the murders and that Norton had a girl friend during three years of his marriage and spent considerable time away from his family at taverns and motels.

Community Affairs File

Volgo County Public Library

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Rockville Trib. 9/1/74

Norton Sentencing To Be September 13

Crimes & Criminals, Ind.
Community Affairs File

Judge Perry Shipman has set September 13 as the date for sentencing of Donald K. Norton. Judge Shipman will read the sentence to Norton at 1:30 p.m. in Benton Circuit Court at Fowler.

A case concerning Indiana's death penalty has been filed with the Indiana Supreme Court and it may affect the verdict of a Benton County Circuit Court jury given to Donald K. Norton of Rockville. Norton was recently found guilty of two counts of first degree, murder for hire, charges in the January 10 stabbings of his wife and young son. The verdict carried an automatic death penalty.

Attorney's for convicted murderer Lester French filed the brief with the high court based on recent United State Supreme Court rulings on death penalties.

French is requesting a new trial. A 35-year-old native of Lebanon, also Norton's home town, French was convicted on April 30, 1975 of the kidnap, rape and murder of a 19-year-old girl during an armed robbery at her grandmother's grocery store in Summittville on July 22, 1974. Her beaten body was recovered from the White River near Strawtown two days later.

French was scheduled to die in the electric chair before sunrise on September 3, 1975, but was granted a stay of execution pending the appeal.

During the trial, French's attorneys contended that Indiana's death penalty statute does not comply with mandates handed down by the Supreme

Court in 1972. At that time, the high court struck down rulings which gave trial court judges and juries the option of imposing the death penalty. It was then that Indiana enacted new statutes making death the mandatory penalty for specified crimes.

French's lawyers claim the jury had the option of finding him guilty of any of the lesser offenses of second degree murder, voluntary manslaughter or involuntary manslaughter and could have imposed a penalty other than death by electrocution. This, the attorneys said, constitutes the discretionary element which the Supreme Court attacked in its 1972 ruling. These same four options were given to the jury in the Norton trial.

French's attorneys also claim the Supreme Court decision last July determined that laws which fail to set out specific guidelines for the jury and the review court before the sentence of death is imposed are unconstitutional. The attorneys contend the Indiana death penalty falls into this category.

The July Supreme Court ruling did eliminate one of the arguments raised by attorneys in the French case. They said that that death penalty constitutes cruel and unusual punishment and violated the eighth and 14th amendment to the United States Constitution. The Supreme Court however ruled that the death penalty does not violate those amendments.

Vigo County Public Library

Community Affairs File

DO NOT CIRCULATE

moved from Greensburg for "safekeeping." That same day the prosecutor's office refiled two affidavits again charging Norton with two counts of first degree murder.

Norton was returned to Parke County and faced Judge Dowd May 26 to begin once again the legal steps to bring him to trial. At that hearing, arraignment was begun all over again, just as it had been conducted last January. At the Tuesday hearing the charges against the accused were read and following this session, Norton was taken to Crawfordsville to be held in the Montgomery County jail.

It was later reported that Judge Goddard had found some "technical difficulties" with the indictment against Norton.

ANOTHER VENUE CHANGE

As fully expected, Norton's attorney asked for a change of venue on May 28, which was granted by Judge Dowd. Again a list of seven possible courts were submitted to each side and on June 4, Benton Circuit Court at Fowler was chosen. Norton was moved to the jail at Fowler on June 9 to await trial.

Norton appeared before Judge Shipman on June 14 and again entered a not guilty plea. The trial date was set for Monday, August 9, and the judge gave Norton's attorneys two weeks to prepare a motion to dismiss and the prosecution two weeks to file a response.

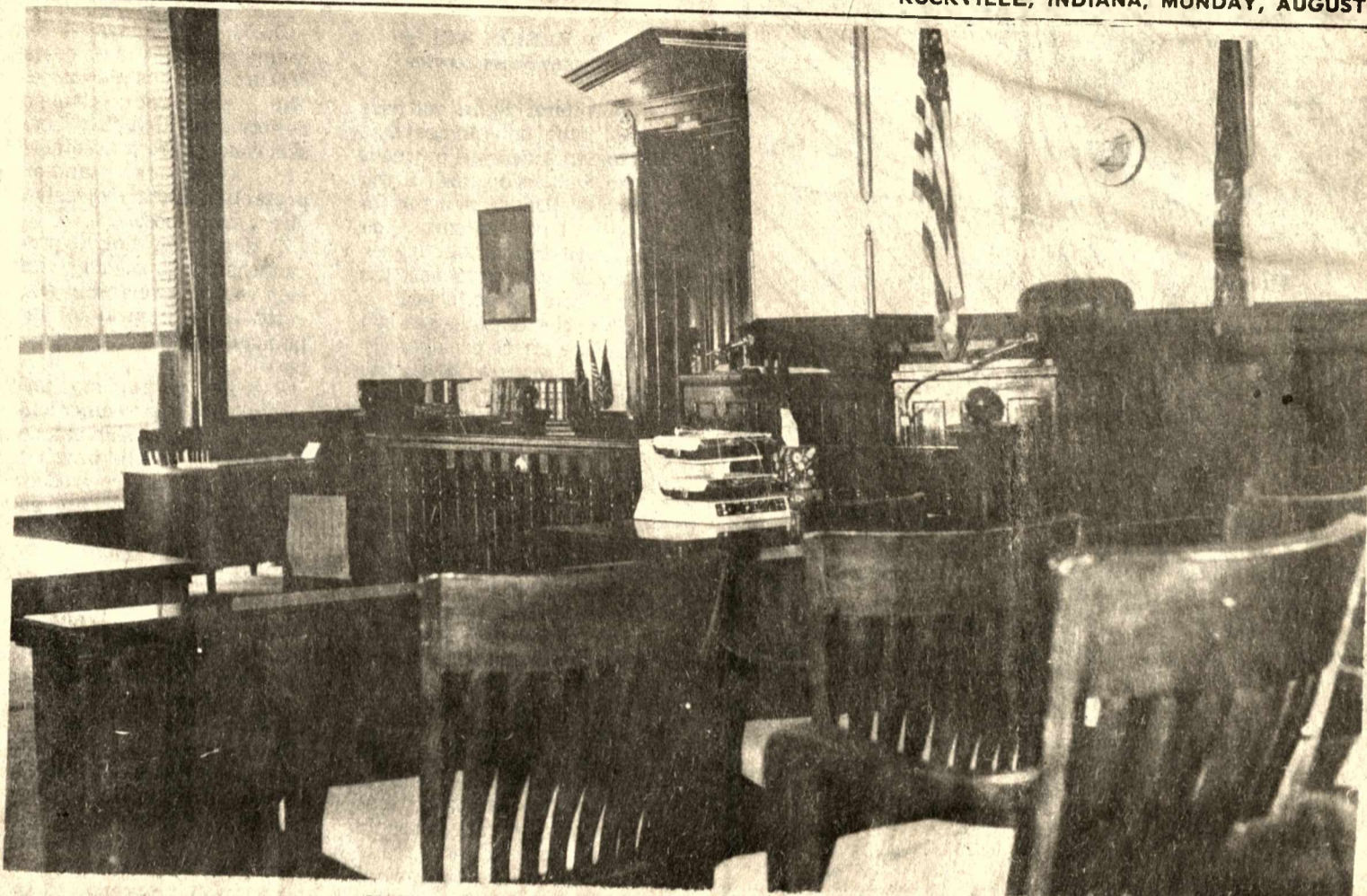
In the meantime, on June 17, Woody's attorney made a motion for continuance of that trial before Judge Bade. Gibson asked the continuance for further investigation and said that it was desirable to hold Woody's trial after Norton's case had been tried. Judge Bade granted the request and on June 22 reset the trial date for September 7.

Norton's attorney made the motion to dismiss the charges against their client on June 14. They used the same reasons they had used in Greensburg, but again the request was denied.

After the hearing, the question of the constitutionality of Indiana's death penalty was raised by various courts. However, the Parke County prosecutor's office said it will not affect the Norton trial and quoted Judge Shipman as saying that as long as the death penalty law was on the books, that is the statute under which Norton will be tried.

VOLUME 143; NUMBER 32

ROCKVILLE, INDIANA, MONDAY, AUGUST 9, 1976



Guilty Or Not?

NORTON TRIAL SITE. This is the Benton County Circuit Courtroom of Judge Perry Shipman at Fowler. This morning, jury selection began in this room for the trial of Donald K. Norton of

Rockville, accused of two counts of first degree murder in the stabbing deaths of his 26-year-old wife and four-year-old son last January.

Jones Says Norton Wanted Him To Murder Woody For \$50,000

BY RICHARD E. HARNEY
PUBLISHER

Steve Jones, a 27-year-old English teacher at Rockville High School, told a Benton County Circuit Court jury that Donald "Chet" Norton asked him to kill Benjamin Woody three different times, twice for a \$10,000 fee and the third time for a \$50,000 price tag.

Jones testified Monday, August 16, in the sixth day of the Norton trial at Fowler. Norton is charged with murder for hire in the January 10 knifing of his 26-year-

old wife Christine and their four-year-old son Bret. Woody is charged with the same crimes and has told the jury he murdered the two at Norton's request.

Jones said he met Norton in 1967 when they were students at Indiana State University. He said at that time he dated Christine and introduced her to Norton. Jones said he and Norton renewed their acquaintance in Rockville about 1974 and saw each other frequently, but had a "falling out" in 1975.

The teacher testified that Norton called him at Jones' parents in Clinton on December 27, 1975 and asked him to come to the Imperial House in Terre Haute because his car had blown up and he needed a ride back to Rockville. Jones said he went to Terre Haute and enroute to Rockville, Norton asked him how he would like to make a big sum of money. Jones said he asked how much was big and Norton told him \$10,000. When asked how he would earn this money, Norton told Jones, "I want you to kill somebody."

Jones testified that Norton told him that he (Norton) and Woody had committed a triple murder during a robbery in Ohio. Norton said, according to Jones, that he and Woody had tried to hold up a loan office and Woody shot a man reaching into a filing cabinet when Woody thought he was getting a gun and Norton shot two other men. Jones said that Norton told him he was afraid Woody would crack and implicate him in the crime. Jones said he didn't really believe the offer.

Jones said Norton next called him on January 1 and asked him to come to Rockville to dinner. Before dinner they took a ride and Jones stated that Norton said "Remember what we talked about last Saturday, about the \$10,000?" Jones replied he thought Norton was kidding, but said Norton told him he wasn't. Jones said he asked why Norton didn't do it himself and was told that he (Norton) "had to be where I can't be tied to it." Norton, according to Jones, added that "It has to be done in the next two weeks." Jones said he didn't answer, but was worried because it was the second time the subject had been brought up.

The Saturday the murders were revealed, Jones said Norton called him and as they discussed the stabbings Norton said "You don't think I did it do you?" Jones said he replied "But you know who did," and Norton answered

"Yes." Monday, January 12, Jones said he reported the previous discussions to police and agreed to work with them.

Jones said he next saw Norton at the funeral home and as he was shown to the door by Norton, was asked to take a walk. During the walk Jones said Norton asked him if he was telling everyone that he (Norton) had something to do with the killings and Jones said he denied it. He then said Norton asked him if he remembered what they had talked about and Jones answered "Woody?" Norton, according to Jones, said "Don't worry about it."

The day of the funeral, Norton asked Jones outside according to testimony and asked him if he had heard anything or talked to police and then asked Jones if he would kill the person who did it? Jones related that he said "You mean you can't do it because you would incriminate yourself as much as the one who did it" and Norton said "Right." Jones said he told Norton, "Tell me who did it and I'll do it."

The next meeting was on Saturday, January 17, and the two met at a Montezuma filling station. Jones said Norton got into the Jones' car and had a cigar box with his coat over it, but never revealed the contents of the box. They took a ride and Jones said Norton appeared

"listless" and asked him if he knew what the police thought about the murder. Jones said Norton asked him, "Remember what we talked about before?" and Jones said "about the \$10,000?" To this Jones quoted Norton as saying "Yes. The price is now \$50,000. It has to be done. Use your imagination why the price went from \$10,000 to \$50,000." Jones said he asked where the money would come from and Norton said he was going to come into a lot of insurance money. Jones said he told Norton "Just tell me where and when."

Jones said he met Woody in 1974 but didn't associate with the Norton, Woody crowd. Under questioning from the prosecution, Jones revealed that he and his wife at one time were having problems and he suspected her of having an affair. He said he told Norton about his suspicions, but later his wife said, "Norton is not much of a friend, he asked me to go to Terre Haute with him." Jones said he called Norton and they argued on the phone and later Norton told him, "Yeh, I did but just to test her to see if she was messing around." That in-

cident, Jones said, ended their close friendship.

Under cross examination, Carl Sandy, one of Norton's attorneys, asked Jones why Norton would ask him to murder someone and Jones said he didn't know. Jones then said that in the summer of 1974 Norton had asked him to drive him to Iowa so he could kill a former employer.

Sandy asked if Jones was not envious of Norton because of his money, cars, wife, etc. Jones denied it.

Sandy then quoted from the grand jury testimony of Jones where he had said he would suspect three persons, Woody, Norton and Dave Peterson. Sandy asked if Peterson was just a hunch or if Jones had reasons for naming him. Jones said he had reasons.

Sandy constantly referred to previous statements by Jones and implied he had not told the same story to the grand jury or in depositions what he told on the witness stand. He asked Jones if Norton was one of the few people who could put his teaching job in jeopardy and Jones said no. Asked why Norton would come to him to murder someone, Jones said "He knows I didn't shoot my mouth off. He trusted me."

Sandy asked Jones if he used marijuana or dated high school students and Jones replied no to both questions.

OTHER WITNESSES

The first witness Monday was Montezuma Marshal Bill Maxfield who told the court he saw Norton in Terre Haute on January 9 and also identified the knife he had taken from Steve Phillips.

Donald Baird of Montezuma testified that he saw Woody near Woody's home on the morning of January 9, had offered him a ride, but it was refused. Under cross-examination by Sandy, Baird said he had known Norton about a year and he had once tried to sell him insurance. In answer to a question of whether Norton told him how much insurance he (Norton) had on his family, Baird said he couldn't remember.

Ross Lock, manager of the Prudential Insurance Terre Haute office, also took the stand Monday morning. The defense objected to Lock testifying, saying insurance was irrelevant to the case. The objection was overruled by Judge Perry Shipman.

Lock said Norton had six insurance policies. One was on Christine Norton, a \$150,000 life policy with an additional \$300,000

for accidental death for a total of \$450,000. Another was a \$150,000 policy on Norton with \$104,000 benefit on Christine. There was a \$10,000 policy and a \$40,000 policy on Bret Norton. The insurance on the two, in case of accidental death, would amount to \$604,000. Lock said the application for Bret showed his health to be perfect. There was also a policy on Norton and a disability income policy on Norton.

Lock said the monthly premium on the policies was \$239, which was "above average for an agent to have." Norton wrote the insurance on Christine and Bret while he was a salesman for Prudential, from December of 1974 to October of 1975. Lock said in a survey of the last nine agents at the Terre Haute office, 75 percent of them discontinued or cut their insurance when they left the company. Lock also identified two claims for the insurance money, submitted on January 14, four days after the killings. Norton was listed as beneficiary on all four policies.

Lock testified that the last policy on the two victims was the \$40,000 one on Bret, written on September 8, 1975, a month before Norton left the insurance company employ.

During cross examination, Norton's attorney asked Lock if the \$150,000 on Christine was not the same amount as Norton took out on himself and Lock said yes.

Lock also said, under questioning, that the policy on Bret would have a cash value of about \$15,000 when the boy was 18 and that type of insurance was sold as an investment. He also said the additional accidental death benefits cost very little, about \$15 a month on the six Norton policies.

Sandy had Lock explain the insurance agent quota and commission system and Lock admitted that by buying the insurance, Norton was contributing to his quota and increasing his income at the same time. By counting the commission he was paid, Lock said Norton actually purchased the insurance at about half price.

Lock testified that his survey was on nine Terre Haute district agents and not a national statistic. He also said that most agents, when they ceased employment, usually dropped their higher insurance protection within two months after quitting.

Lock said it was "unusual for someone to try to collect the insurance so soon after the funeral of the deceased." He also

(Continued On Page Three)

Norton Trial

(Continued From Page One)

testified that had Norton continued at the sales and collection rate he had established in early work that he would have made about \$12,000 a year.

Under questioning by the prosecution, Lock said Norton was terminated by the company.

MORE WITNESSES

Beverly Woody, wife of Benjamin P. Woody, took the stand. Mrs. Woody, 23, said she had known Norton about a year or a year and a half and he had visited the Woody home many times. She said Norton brought "murder books" to the house to show her husband. She also testified that her husband went to Indianapolis with Terry Cox on Saturday, January 10, and that the week after the murder her husband "was scared", put new locks on the windows and kept a loaded gun at his side. She started to tell of a conversation she overheard at the Woody home around Christmas of 1975 between her husband, Norton and Mike McConnel (Editor's Note: McConnel was erroneously referred to as O'Connel in Monday's

Republican), but the defense objected saying it was heresy and the judge sustained the objection. On cross examination, Mrs. Woody said the "murder books" were books on organized crime and one was on the Brink's robbery.

The prosecution then called Dixie Custer to the stand. From Springfield, Illinois, she said she was a radiologist technician at the hospital. Miss Custer, 22, said she had known Norton for about three years.

Miss Custer said Norton and Woody came to her trailer at Springfield and she gave them a green plastic trash bag but didn't know what was in it. She said Norton had given it to her ten days before, on December 30. Asked if she owned a Corvette, Miss Custer said she bought one from Norton in September 1975 for \$5,700, but didn't get possession of it until January 20, 1976. She said Norton told he couldn't turn it over because it had mechanical problems. She also said the car was at her home on January 20 when she came home from work and later heard it had been brought to her by an uncle of Norton's.

Miss Custer told the jury she overheard an argument between Norton and Woody at the trailer the day they came for the trash bag and quoted Norton as telling Woody, "Take your stuff, there's no need for it anymore. I don't have any use for it and don't want any part of it."

Miss Custer said an Indiana State Police Officer came to Springfield and searched the car and her trailer. She also denied ever allowing nude photographs of herself to be taken. Prosecutor Clelland Hanner asked Miss Custer when she last saw Norton after the murder and she said it was on January 18, eight days after the killings. She said they went to Davenport, Iowa for the weekend.

Norton's attorney asked how Norton appeared on January 18 and Miss Custer said he was "Very depressed, didn't seem to care about anything, and was mad at the world."

Paul Rosenbaum, a Rockville elementary teacher, testified he had known Norton for about a year and a half and accompanied Steve Jones to the funeral home on a Monday to view Christine and her son. Rosenbaum said Norton walked them to the door and then asked him (Rosenbaum) if he could talk to Jones alone. Rosenbaum said the two walked to the corner and back.

The last witness Monday was Sharon Pilcher of Clinton, an employee of National Car Rental at Indianapolis. She identified the rental agreement for a Pinto she filled out on January 9 for Benjamin P. Woody. She said the car was checked out at 11:56 a.m. on January 9 and returned at 9:45 a.m. January 10. She said she saw Woody's name in the paper when he was arrested for the Norton murders, recognized the name, and called police.

Norton's attorney asked how much the deposit was and Miss Pilcher said it was \$50. She also said the cars are cleaned after they are returned and when asked if a person would find anything in the car they rented, like a paper bag, she said no. She described Woody as being unkempt, with a scraggly beard and a casual jacket. She said he was alone.

TRIAL CONTINUES

The trial continued yesterday (Tuesday) and opened with the defense's third request to date for a mistrial. Norton's attorney said the jury had asked the meaning of impeachment of a witness and also said they wanted to hear again the testimony of Dixie Custer. The attorney, E. Kent Moore, said this indicated they had been talking among themselves about the trial and asked that the jury be dismissed and a new one seated. Judge Shipman denied the request, saying the jury just didn't understand what impeachment meant and they wanted to review the Custer testimony because she talked in a soft voice and they had trouble hearing.

The first witness Tuesday was Edgar Viet of Davenport, Iowa. He said he owned several businesses and employed Norton from the summer of 1970 until the fall of 1974. He said Norton came back for a job in November of 1975 and he hired him and advanced him \$900, later paid back by Norton's father.

Viet said he last saw Norton around January 17 at the Holiday Inn in Davenport after Norton had called him. He said Norton said he wanted to tell him about the killings and with both of them

in tears (Norton and Viet). Norton related how he went to play cards, came back to the house and found the bodies. As to motive, Viet said Norton told him Christine had complained about a window peeper and he thought rape was the motive. Viet admitted that Norton was in Davenport with Dixie Custer.

Norton's attorney asked Viet if he thought Norton was a good employee and Viet said he did. Viet also said Norton "worshipped the ground Bret walked on" and that he (Viet) considered himself a good friend of Norton's. Viet said that on January 17, Norton appeared very upset, downtrodden and wasn't himself."

Viet testified Norton's job was selling houseware items and he then advanced into management. His territory was the Springfield area. Viet said he saw Norton in Des Moines before the murders and they had planned a sales convention in Des Moines on January 30 and 31. He said Norton asked him to make room reservations for him and Christine which Viet said he did.

Under questioning by the prosecution, Viet said he couldn't remember the name of the motel where the convention was held and where he made the room reservations. He also said Norton was to speak at the convention on "recruiting". Asked if he considered Norton a good motivator, "able to get people to do things", Viet said he did.

Next to testify was Linda Cutter, manager of the Imperial House in Terre Haute. She testified that Norton rented a room there for two days on December 27 and 28.

Mike Young, Parke County Sheriff Department deputy took the stand and identified the ballbat, shotgun and knife which he took into his custody on January 17, 1976 and put in the sheriff office safe. He said he was present when the plastic trash bag was found along the Wabash River.

HECK TESTIFIES

Most of Tuesday's court day was taken up with the testimony of Lloyd Heck, a detective sergeant with the Indiana State Police. Heck said he had been a detective for ten years and an Indiana State Police officer for 23 years. He said he had investigated six homicides since April of 1975.

Heck testified that he was called to the Norton home by the Parke County Sheriff's Department and arrived at 4:55 a.m. He said he searched for a murder weapon in the house and ISP technician Jerry Statler took photographs. He said nothing appeared disturbed or out of order in the home. He said he went room to room with Norton and Norton said everything was in place.

Heck said he interviewed Norton at the dinette table beginning about 5:30 a.m. Heck told the jury that Norton displayed no emotion during the interview as to "what we were talking about or what was in the other room" (the bodies of his wife and son).

According to Heck, Norton said he took Christine and Bret to Clinton to eat, and they returned to Rockville about 8:30 p.m. Norton said he asked Christine if she cared if he went out and played cards and drank some beer and Christine said she didn't. Norton told Heck he went to Dee's Tavern in Montezuma for one beer, walked to Dick's Tavern and had five beers and two glasses of peppermint schnapps. He then went to a cardroom and watched a game for five or ten minutes but there were no seats available so he left. He then went to a lounge in Hillsdale and had one beer. He came back to Dick's and had two more beers and played two games of pool. Then he went to the cardroom and stayed until about 3:30 a.m., losing \$36 to \$37. Heck said Norton named people who saw him at the various places and then said he came to Rockville.

According to Heck, Norton said he got out of the car and reached for the key although the door was not normally locked. He said he noticed the door ajar and walked in and called out "Chris, why in the hell did you leave the door open?" Norton told Heck he went into the bedroom and turned the ceiling light on and saw his wife who "didn't look right". He said he might have touched her. He then went to Bret's room and said "He didn't look right either." He told Heck he picked the boy up and took him to the bathroom to wash him, but couldn't do it and put him on the bed with his wife. Norton said he might have had the boy in his arms when he dialed the operator to get the

police.

Heck testified that in neither of the two interviews that Saturday was Norton crying and used a normal voice until he told about going into the boy's room, when he did show "some emotion." Heck said Norton showed him a clipping about his car being burned up in Terre Haute earlier and said he thought Joe Gill, one of the two men arrested for the incident, might have murdered the two.

Heck said he asked Norton if he had notified the parents of Christine or his own parents, because it was his responsibility. Norton, according to Heck, said he would wait until they got up. Heck said he told Norton when the investigation was over, at about 8 a.m., not to leave town, but that he did go almost immediately to his parents' home in Lebanon.

As Heck was leaving, he asked Norton for a key to the house so it could be secured for further investigation and said Norton gave him the key, taking it from his pocket.

THE BLOODY EVIDENCE

To an absolutely hushed courtroom, the prosecution opened a cardboard box and began to enter into evidence the bedding and bedclothes of the two murder victims. Each was identified by Heck and displayed to the jury. The only thing breaking the silence was the noise of a stapler, used to attach the identification tags.

During the process, Norton stared off into space, away from the bloodied articles. For the first time in the trial he seemed out of touch with the proceedings. At other times he just stared at the empty table in front of him. Previously, he had spent each day writing notes, looking over statements and conferring with his attorneys frequently.

There was an audible gasp from members of the spectator gallery as the short striped bloody nightshirt of Christine Norton was held up by Heck. There was sun light coming in behind the jury from a window and the sunlight shone on through seven slits in the garment to the other side. A young sheriff deputy grimaced when Heck displayed a completely blood-soaked T-shirt which had been worn by Bret Norton with five slits in the front and a small slit in the back. All of the bedclothes which had covered Christine that night showed slits.

Heck said he was present at the autopsy and verified that he saw the knife wounds on the Nortons. The bloodied items remained in a large pile before the jury in the middle of the courtroom until they were removed after an afternoon recess.

Heck testified that the first key which Norton had given him was silver when the house was locked on January 10. He said another house key, bronze in color, was taken from Norton when he was

arrested on January 20.

Heck testified that Jones had called him and told him about Norton's offers to get him to kill Woody and that he (Heck) had asked Jones to work with the police and Jones agreed. Heck also said he went with Woody and several other police officers to the river bottoms and found the murder items "exactly where Benny Woody said they were."

Heck told the court that Christine had talked on the telephone three times between 8:30 and 9:30 p.m. on January 9 and had received a call from Kieth Norton, Chet Norton's father, at around 10 p.m. Heck also said the Norton dog was missed by Christine around January 1 and she had placed a newspaper advertisement looking for it.

In referring back to Norton's listing of places he was the night of the killings, Heck said Norton was not really answering questions he posed, but gave his alibi as a narrative, much the way the police officer was telling the jury.

Heck also said the first time he saw the Corvette it was registered to Norton and the second time he saw it, it was registered to Dixie Custer.

Asked where Norton's car was parked in Montezuma by defense attorneys, Heck said Norton had told him he parked it behind the tavern because Christine's parents (the Brown's) "didn't like to see the car parked in front of taverns." Under questioning, Heck said he never did see any of Christine's keys, nor had he checked her purse the night of the killings. He also said blood samples were taken at the house.

Asked if Norton took a lie detector test, Heck said he did.

The prosecution then entered as evidence the order forms for the lost dog advertisements which ran in the Rockville Republican and Rockville Tribune on January 5 and 7.

Indiana State Trooper Dan Clevenger was the last witness on Tuesday and said he received the housekey from Norton when

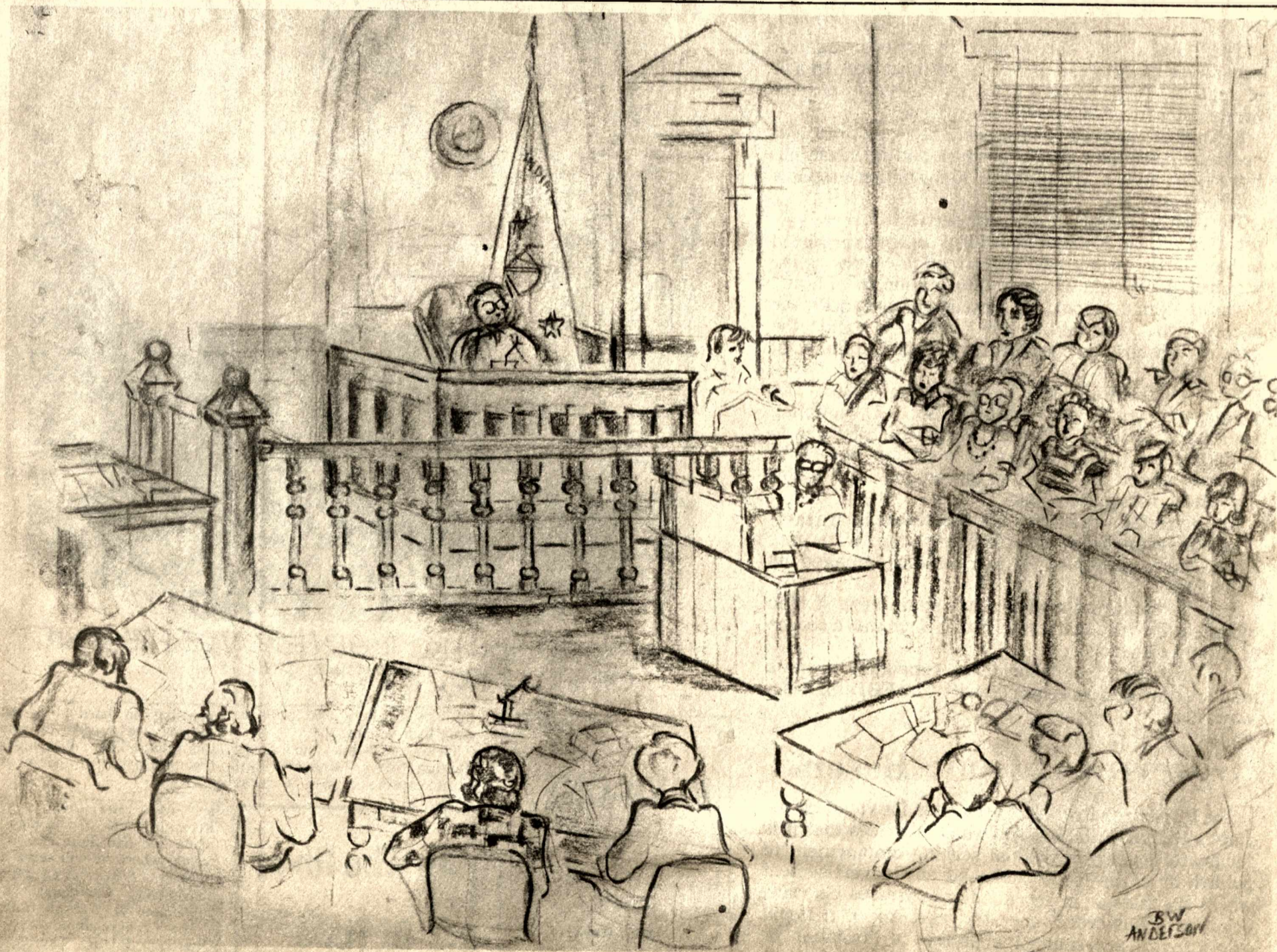
Norton was arrested.

The prosecution told the court they had presented all their witnesses and evidence, but would not rest their case until this morning (Wednesday) after a Tuesday night conference.

When the prosecution rests, the defense will take over and begin bringing in their witnesses. They have indicated that Norton will testify in his own behalf.

It is hoped the case will go to the jury at the end of this week.

Security was somewhat less at the courtroom this week, but still very much in evidence. Woody has been returned to confinement at the Parke County jail.



Courtroom At Fowler. Defense Is On The Left, Prosecution Sits On The Right

Rockville Republican 8/9/76

Murder Trial Of Norton Opens Today

Crimes + Criminals, Ind.

Some 200 residents of Benton County have reportedly been empaneled for possible jury duty in the first degree murder trial of Donald K. Norton which began this morning (Monday) in Benton Circuit Court at Fowler. It is expected that the prosecution and defense will spend today and Tuesday agreeing on 12 of those 200 to hear the case.



DONALD "CHET" NORTON

The Parke County Prosecutor's office said they expected to call about 20 witnesses in the case, and Benjamin P. Woody, codefendant with Norton, will be one of the chief witnesses for the prosecution. Woody is expected to be called to testify early in the trial which will probably last about two weeks.

Benton Circuit Court Judge Perry Shipman has told attorneys for both sides that he intends to let the trial run late each day. Most of those concerned with the case theorized that the trial will run from 9 a.m. each morning until around 6 or 7 p.m.

The trial opens exactly seven

months after the brutal murder of Norton's 26-year-old wife Christine and their only child, four year old Bret.

It was at 3:50 a.m. Saturday morning, January 10, that Norton called the Rockville Police Department to report he had just returned home at 213 North Virginia Street and found his slain wife and son. City police officer John Jackman was dispatched to the Norton home and said he found Norton at the door, saying an ambulance was needed. After Jackman entered the home and saw the bodies, he called for an ambulance and notified the Sheriff's Department and Parke County Coroner, Dr. Frank Swaim.

Norton reportedly told authorities he had taken his wife and son to a Clinton restaurant that Friday night and brought them back to Rockville around 8:30 p.m. He said he left the two at the house and went to Montezuma, returning a little before 4 a.m. Saturday when he discovered the bodies.

Dr. Swaim said he believed a long bladed knife, such as a hunting or butcher knife, was used, based on the depth of the stab wounds. The boy, according to the coroner, was stabbed three times, in the aorta of his heart. Mrs. Norton had four or five stab wounds on her chest and one on her left arm according to the coroner's report. Dr. Swaim said the wound on Mrs. Norton's arm probably would indicate she had tried to defend herself from the vicious knife attack. She was also stabbed in her heart and lungs. She had not been sexually molested.

The boy was found in his bed in a back bedroom according to the coroner. Mrs. Norton's body was found in the front bedroom, clad in underclothes. There was no sign of forced entry at the house, although a back door was reportedly found open.

That Sunday, a massive search

by local and area police officers and volunteers was conducted along U.S. 41 and U.S. 36, thought possibly to be the escape route of the killer or killers.

FIRST BREAK

Investigators worked nearly 24 hours a day seeking clues for a week after the murders and one spokesman said they had "come up against a blank wall."

Then at 11:30 p.m., Saturday, January 17, Benjamin Paul Woody of Montezuma was arrested by Indiana State Police Officers in Montezuma. Although never officially confirmed, reports were that Woody called authorities and gave himself up.

The 27-year-old Woody is a 1967 graduate of Montezuma High School. He is a veteran of Vietnam.

Preliminary charges of first degree murder were filed against Woody Sunday, Jan. 18, in Parke Circuit Court and he was confined to the Parke County jail without bond. There were reports that Woody made a confession, but this was not officially confirmed. However, that afternoon a large detail of police officers and volunteers gathered at the Clinton Bridge over the Wabash River to search for the murder weapon. The workers dragged the river in very specific locations, but to no avail.

NORTON ARRESTED

It was on Tuesday night, January 21, that Donald Norton was arrested at 7:15 p.m. in Montgomery County by Indiana State Police as he was enroute to his parents' home in Lebanon. He was preliminarily charged with first degree murder in the slayings of his wife and son and was taken to the Parke County jail and held without bond. Norton appeared in Parke Circuit Court the next day to be formally charged.

Following Norton's court appearance, a Parke County grand jury was convened, originally called to consider the charge

against Woody, and then to consider the charges against both men.

GRAND JURY INDICTMENT

It was the duty of the grand jury to determine if there was sufficient evidence against the two men to replace the preliminary charges with formal charges of murder in the first degree. The proceedings of the grand jury are, by law, conducted in absolute secrecy. Only the fact that they either returned or declined to return an indictment is available to the public and the records of a grand jury are sealed by the court.

The jury began its deliberations that morning, stopped for a one-half hour lunch break, and at 6:30 p.m. returned indictments against both Norton and Woody. The jury included Larry W. Myers, Marshall; David A. Greeves, Rockville; William S. Satterfield, Raccoon Lake; William O. Glant, Rockville; Louis Godeaux, Rockville; and Dale Andrew, Mecca. Ten to 12 witnesses reportedly appeared before the jury.

Included in the indictment against the two men was the charges of "murder for hire," one of only six or seven charges in Indiana that can bring the death penalty. Under such a charge, one who conspires in a murder for hire incident is an "accessory before the fact" and liable to the same penalty as one who actually commits the murder.

THE MOTIVE

Insurance is generally believed to be the motive for the killings. Parke County prosecutor Clelland Hanner said there was an "excessive" amount of insurance on Mrs. Norton and the boy, but declined to say how much. The most frequently mentioned amount was \$600,000 and Donald Norton was listed as the beneficiary on all the policies.

The Indianapolis Star reported

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✓ **Norton Trial**

(Continued From Page One)

they had information that Norton had hired Woody to kill his wife so he could collect the insurance and that Norton was angered that his son was also killed. The Star said that Woody confessed to police when he feared Norton might harm him. The Danville Commercial News reported they had information that Norton agreed to pay Woody \$57,000 to murder his wife and son. Neither of these stories have been confirmed by either the police or the prosecutor's office.

Indiana law states that the beneficiary of a life insurance policy who intentionally and wrongfully causes the death of the insured forfeits all rights under the policy.

KNIFE SEARCH CHANGES

After switching the search for the murder weapon from Clinton to near the Montezuma bridge, suddenly on Thursday, January 22, searchers converged on an isolated stretch of the Wabash River two miles north of the Montezuma bridge. According to some reports, Woody had told authorities he threw the knife into the river at a clearing in this area. First a crane with a magnet was used in an attempt to recover the weapon. The next day, Friday, boats were again used with heavy duty magnets attached to ropes. On Saturday, three Indiana State Police scuba divers went into the sub-zero waters to search. Parke County Sheriff Gary Cooper then called off the search, saying it was "like looking for a needle in a haystack." The weapon has never been found.

LEGAL MOVES BEGIN

On January 23, Donald Gibson of Veedersburg was appointed by Judge Earl Dowd of Parke Circuit Court as Woody's attorney, after Woody said he could not afford to hire one. Then it was announced that Carl J. Sandy and E. Kent Moore of the law firm of Moore, Sandy, Moore, and Deets of Lafayette would be representing Norton. The Lafayette firm also defended William Gaddis who was found guilty of shooting a Montgomery County police officer and is now on death row at Indiana State Prison in Michigan City.

Formal arraignment of Woody and Norton began, a two-part legal process prior to actual trial. The first part is formally notifying the defendant of the charges against them. This was done following the grand jury indictment. The second part is a pleading of guilty or not guilty by the accused.

Before arraignment was completed, Judge Dowd ordered Woody moved from the Parke County jail to the Clay County jail at Brazil for "safekeeping." Dowd said he made the move at the request of Woody's attorney. Norton remained in the Parke County lockup.

Woody was brought back to Parke Circuit Court Friday, February 13, and there entered a plea of not guilty to the charges. Norton was to have appeared the same day, but received an extension of time since his attorney was out of the state.

In addition to entering the not guilty plea, Woody's attorney asked that Woody have a mental examination, which was done, and that the court hire a reporter to take depositions for the defense at the county's expense. That too was granted.

CHANGES OF VENUES

At Woody's final arraignment session, Judge Dowd set his trial for April 12 in Parke Circuit Court, although everyone knew there would be a request for a change of trial courts on the basis that Woody could not get a fair trial in Parke County. Woody was

returned to Clay County for confinement that evening.

Norton appeared in Parke Circuit Court the morning of February 25 and, as expected, his attorneys asked for a change of venue, to move the trial out of Parke County because of pre-trial publicity. Judge Dowd granted the motion and several days later provided a list of seven counties for the trial for striking purposes. Under this procedure each side strikes one court alternately until one is left. The county selected was Decatur Circuit Court at Greensburg where Judge John W. Goddard presides. Norton was moved to the jail at Greensburg until his trial.

Woody appeared before Judge Dowd March 5 and also asked for a change of venue, which was granted. At the same time the request to return Woody to the Parke County jail was granted. Judge Dowd presented attorneys with another list of seven counties for the Woody trial for striking purposes. Also granted was a request that even after a new trial site was picked, Woody would be confined to Parke County jail until the trial actually began.

Norton appeared before Judge Goddard on March 10 and entered a plea of not guilty. That appearance completed his formal arraignment, stopped in Parke County when a new court was named for jurisdiction. Judge Goddard set June 7 for the trial.

The prosecution and Woody's attorney completed their striking process on March 17 with the selection of Judge Bruce Bade (pronounced Body) in Blackford Circuit Court at Hartford City. The trial date was set for June 28.

SUDDEN COMPLICATIONS

Norton's attorneys entered a motion to dismiss the charges against their client for "lack of evidence" in April. The first part of May, oral arguments were presented before Judge Goddard and Norton's attorneys basically stated three reasons for their motion. They said the prosecution filed charges under the state's first degree murder statute asking the death penalty and the death penalty was unconstitutional; that the grand jury's indictment was defective in that there was not specific or enough evidence presented to substantiate a murder for hire charge; and that the indictment did not state the exact charge with sufficient certainty. On May 11, Judge Goddard over-ruled the motion in a "summary dismissal" which would indicate he found the request had no merit.

Then in a surprise and completely unexpected move, Judge Goddard dismissed the original indictment against Norton. The dismissal was not made at Norton's attorney's request and in an usual move, Judge Goddard made the dismissal on a motion of his own.

Following the dismissal, the judge ordered Norton held without bond and bound back to Parke County or the state for further action. Norton was never physically free.

On May 24, Judge Dowd issued a bench warrant for Norton's arrest and asked that he be

Norton Judged Guilty

Rockville Tribune 8/25/76
Crime and Criminals (Ind)

BY RICHARD E. HARNEY
PUBLISHER

At 9:17 p.m. Monday, August 23, the call went out over sheriff department portable radios that the jury had reached a verdict in the murder for hire trial of Donald K. Norton. Summons were sent to the various parties involved in the trial and the jury re-entered the courtroom at 9:30 p.m.

William Robb, a farmer, had been elected forman and presented the verdict to Judge Perry Shipman. The judge read: "We the jury find the defendant guilty of the first degree murder of Christine Norton by a person hired to kill as charged in the information and we find his age to be 27 years." From another ballot, Judge Shipman read: "We the jury find the defendant guilty of first degree murder of Bret Norton by a person hired to kill as charged in the information and we find his age to be 27 years."

Thus ended the trial of "Chet" Norton after 11 days in the Benton Circuit Courtroom at Fowler and seven months and 13 days after the murders in Rockville. The prosecution had taken five days to present their evidence, the defense had used three. Jury selection took two days and Monday was devoted to final arguments and jury instruction.

Formal sentencing will be made by Judge Shipman in about two weeks. The verdict calls for death in the electric chair at the Indiana State Prison at Michigan City. Norton, confined to the Benton County jail across the street from the courthouse, will be sent in about a week to the Diagnostic Center at Plainfield for a diagnostic program for convicted male felons. That program will last one week.

The case went to the jury at 6:15 p.m. They reportedly deliberated about 45 minutes, took an hour for dinner, and resumed discussion until 9:17 p.m. Total deliberations took about an hour

and 45 minutes.

When the jury returned, security in the courtroom, tight for all 11 days of the trial, was beefed up considerably. Twenty uniformed sheriff department deputies from Benton, Tippecanoe and Warren counties were in the courtroom, all equipped with riot helmets. Every person was checked with two different metal detectors before they were allowed into the room.

Norton entered the courtroom, obviously tense and nervous. He got up once to get a drink of water. However, when the verdict was read he maintained the emotionless composure that had marked his appearances throughout the trial.

The Brown family, Christine's relatives, broke down and cried when the verdict was read. The only members of the Norton family in the courtroom were two uncles and a few other distant relatives, all male. Their feelings on the verdict could not be determined from their facial expressions. The family of Benjamin Woody, co-conspirator of Norton was also in the packed courtroom.

Carl Sandy, one of Norton's three attorneys, said he "assumed we will appeal the case." Sandy said he thought "it was a closer case for the jury to come up with a verdict that fast." John Barce, speaking for the prosecution, thanked the jury for their verdict on behalf of the people of Parke County.

John Dowd, Parke County deputy prosecutor, opened the final arguments for the state by reviewing with the jury the various prosecution witnesses and their testimony.

Dowd emphasized that Woody told of the amount of insurance as \$114,000 and could only have known that figure if Norton had told him, since the total was actually \$604,000. Dowd also emphasized that Woody had told two people about the planned

murders before they occurred and said it was odd that the exact same words were used to describe an alleged argument between Woody and Norton by both Norton and Dixie Custer. Dowd also asked how Woody would know where Christine normally slept unless someone told him. "He was told by Chet Norton," Dowd said.

Dowd pointed out that there would be no way Woody could know that Norton was going to take his wife to the Roma at Clinton. "He was told by Chet Norton", Dowd said again.

"Who of these two people would be most likely to have Holiday Inn towels," Dowd asked. "Ben Woody who stayed around home and was always trying to get someone to buy him drinks, or Norton who stayed in motels all the time?" Dowd also asked how Woody would know Norton was going to take a lie detector test unless Norton told him. The deputy prosecutor brought out that Woody could not have known about the lost (or as Woody testified, killed) family dog unless Norton told him because the advertisement in the paper listed the Brown's telephone number and "Woody was not the kind to read newspapers."

Dowd also pointed out that he
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Norton Trial

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did not know why Woody killed the Nortons, "it could have been the money, that he was afraid, or thought the boy had leukemia. We just don't know."

Other points made by Dowd were that Steve Phillips had testified that Norton was in a white T-shirt, leather coat and brown pants when he turned over the knife to be sharpened, not in hunting clothes as Norton had said. Dowd said that when State Police Detective Lloyd Heck interviewed Dixie Custer originally, she told him she had met Woody for the first time the first week of January when he came with Norton for the trash bag. Miss Custer said on the witness stand that the bag was picked up the last week of December.

John Barce, Benton County deputy prosecutor who has worked on the state's case, told the jury that the motive for the murder was \$604,000 in insurance. He said the jury must decide whether they were going to believe Norton or Woody.

Speaking of Norton, which the defense had portrayed as a loving father, Barce said Norton bought a "hot" gun, planned a robbery and paid for the equipment and was the one who knew about the high stakes card game. "Is Norton the type of man to lie?" Barce said. "This man lied to his wife about meeting other women, lied as to his address on hotel registrations." Barce said, "Norton had no respect for the law.

How many Prudential agents do you know who run around with a ball bat and gun? Norton associated with hard people, people who planned robberies and talked about killing people. He was ready to drive Woody around for two days to get a rental car to run dope in according to his own testimony" Barce said. "He even withheld the fact from his family that he went on a trip with Dixie Custer just two days after his family was buried."

Continuing, Barce said "What use is it for the defense to say he was a great family man? He was going to the Body Shop in Terre Haute, maintained an Illinois apartment, kept a key to his girlfriend's trailer, and drove her car, smoked marijuana and left his family stranded in Iowa without food or money?"

Barce told the jury that Woody could not have made up such a story and that the evidence shows he was hired to murder the wife and child.

Concluding, Barce said "The jury can never hear from the victims of this crime, what Christine would have said about her life or what Bret's expectations from life might have been." Barce lowered his voice and holding up the blood soaked nightshirt of Christine's with the knife slits showing, said "This is what this case was all about!" At this, both Norton's mother and sister ran sobbing from the courtroom.

The defense's arguments were begun by Carl Sandy. He said there were conflicts in testimony between the defense witnesses and accused coroner Dr. Frank Swaim, lie detector test operator John Danberry and State Police Lt. Richard Shelton as changing their original thought "when the pressure was put on." When the police thought they had their man, they put on the pressure to build their case," Sandy said.

He said the Browns might have wanted Christine to get a divorce, but the important thing was that Christine didn't and the evidence showed she was happy in her marriage.

"Why would Woody blame Chet?" Sandy asked. He answered his own question with "Maybe he thought it would be better to be a professional paid killer, hired, rather than admit he went into that home to rape Christine Norton. Maybe he was afraid of Norton, but afraid because of retaliation because he had murdered his wife and son. Maybe he thought it was better to get Chet off the street to protect his family."

Sandy said it was not logical for Norton to hire Woody. He asked how would Woody know Bret did not have leukemia and turn Norton in when leukemia had not

yet come up as a subject when Woody confessed. He said Woody put the whole episode within a week time period, but Dixie Custer's testimony refuted that. "Woody was not the type to be coerced by someone" Sandy said. "He was strong, a daredevil. The only thing I can tell you about him is that he has an obsession with nude photos, but none were ever found."

Sandy said it was impossible to hide while riding in a Corvette as Woody had testified and said "This was not a planned killing for money. This was sick. Woody plunged the knife long after his victims were dead. He was on drugs or very sick. How many stab wounds does it take to kill? Someone was getting delight out of it."

"If this was so well planned," Sandy asked, "why was there no plan to have a car for Woody to go get the rental or to take it back. That's not clever planning." Sandy pointed out that Woody said he was afraid of being killed at the funeral home but yet went with his wife there. "When the police told Woody someone had a contract on him, who do you think Woody thought it was?" Sandy asked the jurors. "He knew it was Norton, wanting revenge." Sandy pointed out that Woody said he barricaded himself in his home, but yet went to the funeral home and added that all his behavior was similar to that of people doped up.

"Steve Jones", Sandy said, "was the least impartial witness I have ever examined. He fought me on every word. I never saw a man work so hard to get someone convicted. Jones asked us to believe that after being enemies for ten months, Norton out of the blue tried to hire him to kill someone."

Trying to dispute Woody's testimony, Sandy said that Woody could have read in the newspapers about the insurance, could have taken the towels from the Norton kitchen and could have read about the lie detector test in the newspapers.

"Woody came to rape because he knew Norton was playing cards and when the little boy came in, he killed him" Sandy said. The police, he added, thought after they picked up Woody that someone else was involved. He said, "Norton thought so too. Bret was a light sleeper and would have awakened when his mother screamed. He either came in and was killed or someone was with Woody and killed the boy in his bed." Sandy said the prosecution had only one set of items purchased for the robbery, "Has someone, still loose, got the other set?" Sandy asked.

He said even if Norton had hired Woody, it would be impossible for anyone to force themselves to be the one to find the bodies. He said most people

would have arranged to have been out of town. On Norton's emotions at the time, Sandy said that there are many ways people react and no one should say how another would react to such a tragic scene.

He said the insurance was purchased as an investment and the premium was not too large for two people earning \$20,000 a year between them. "None of the Prudential people said no one should buy that much insurance when it was purchased and they all took their commissions," Sandy told the jury.

Sandy asked the jury not to judge Norton as the type of person he was because "this is not a popularity contest." "Chet may not be the type of person you would want for your son or son-in-law," Sandy said, "but he leveled with you about his life even though it might make him unpopular with the jury. His life style does not make him a murderer."

Sandy concluded by telling the jury that if there was no doubt in their minds, their duty was clear, but they could not convict a man unless they were sure. "We're not here to prove his innocence," Sandy said, "we're here to show there is not enough evidence to prove his guilt."

Then E. Kent Moore, another defense attorney, took over. Moore said the state had not proven their case beyond reasonable doubt. "The prosecution shows a plan of long standing, centered around insurance," Moore said, "but to talk someone into killing another person is quite a feat and we are asked to believe Norton did it twice - with Woody and Jones."

Moore said the insurance purchases were logical and the fact that they had waivers of premium so payments would be made if Norton was disabled showed there was no intent for murder. Moore also pointed out that Norton made money in commissions, buying the insurance. He also said Norton would not have fixed up the house or bought his wife a washer, dryer and refrigerator in December if he was going to have her killed the next month.

"Planning a robbery," showed bad judgment. But it was just beer talk, they did back off. Planning a robbery does not mean you could plan a murder."

Moore told the jury that leukemia was just something in Woody's mind and that Woody had constructed the story, filling in the dates. "The state did not prove Dixie's testimony wrong on the date or the conversation. Here Woody made a mistake on his dates," Moore said they also caught Woody in another lie when he said he had hidden in the Corvette, but was seen at Newlin's service station.

"Can you believe," Moore asked, "that a man who knew his wife and child were going to die could take them to supper the same night? Whatever Chet Norton is, he isn't the type that could do that."

Moore said that if Norton was smart enough to come up with as good an alibi as he did, he would surely be smart enough to plan a better murder plot.

"This murder was brutal beyond imagination," Moore said. "Death was not quick, it was long and it was agonizing. It was a knife attack after knife attack, time after time after time the knife plunged. The man who did that was very sick. It was not rational, it was not planned."

Moore too, stated that Norton could not have braced himself to face the murder scene, particularly the little boy. "No one could walk in and face that", he said.

Moore said "Woody could no longer accept responsibility for what he did. He knew what he did, but he couldn't accept the full responsibility for it by himself."

Moore also asked why the State

Police didn't hide a recorder on Jones, and added, "I don't think they believed Steve Jones anymore than I do."

He said the most powerful piece of evidence was the lie detector examination dispute and that the defense experts proved Norton passed it.

"In this case," Moore concluded, "we have reasonable doubt."

Parke County Prosecutor Clelland Hanner wrapped up arguments before the jury. Hanner asked the jury how they could dispute the lie detector examination as reported by Sgt. Danberry who had read thousands of tests while the defense witnesses, "one of which had done 50 or 60 last year and the other hasn't done any in a year. That test showed Norton wasn't telling the truth. Norton was not arrested on lie detector tests, but on solid evidence."

"Chet is a salesman" Hanner said, "and Woody is a follower. Norton could guide Woody anywhere he wanted to." Hanner whirled around and pointed his finger at Norton and said "This man Norton set this thing up. If anyone ever had ice water in his veins, he does."

Hanner said there never was any newspaper reports of the breakdown of the insurance and that the morning of the murder, Norton had "reeled off where he had been, times and everything, without any trouble."

Hanner turned again, and again pointed a finger at Norton and said "He set it up, step by step and Woody followed. He has love for only one person - Chet Norton."

Hanner told the jury the side issues had nothing to do with the case, that the main issue was who killed Christine and Bret Norton and did someone hire them to do it? He showed the death scene pictures to the jury again and said if Norton hugged his wife and carried his child around, where was the blood on his clothing? "And where did Christine's money go?" Hanner asked. He pointed at Norton again and said "He got it!"

Hanner said that Woody knew that on September 9 that he was going to be tried for murder. He said Woody was on the stand for eight hours and the defense had not broken his story. Whirling again, Hanner pointed an outstretched finger at the accused and said "This is the the kingpin. He pushed the buttons. He pulled the levers."

Hanner told the jury that Steve Jones was nervous because he was a schoolteacher and had everything to lose. "The defense attempted character assassination on Jones, but their inference doesn't prove anything." Jones, Hanner said, went to the police on January 12 and started reporting

to them, which was before Woody had been picked up. If Jones was an enemy, why did Norton call Jones right away about the murder, Hanner asked.

"Norton left his family to mourn, and I'm sure they did, while he went to Iowa with his girlfriend" Hanner said. "They mourned, but this bird didn't" he added, again pointing at Norton.

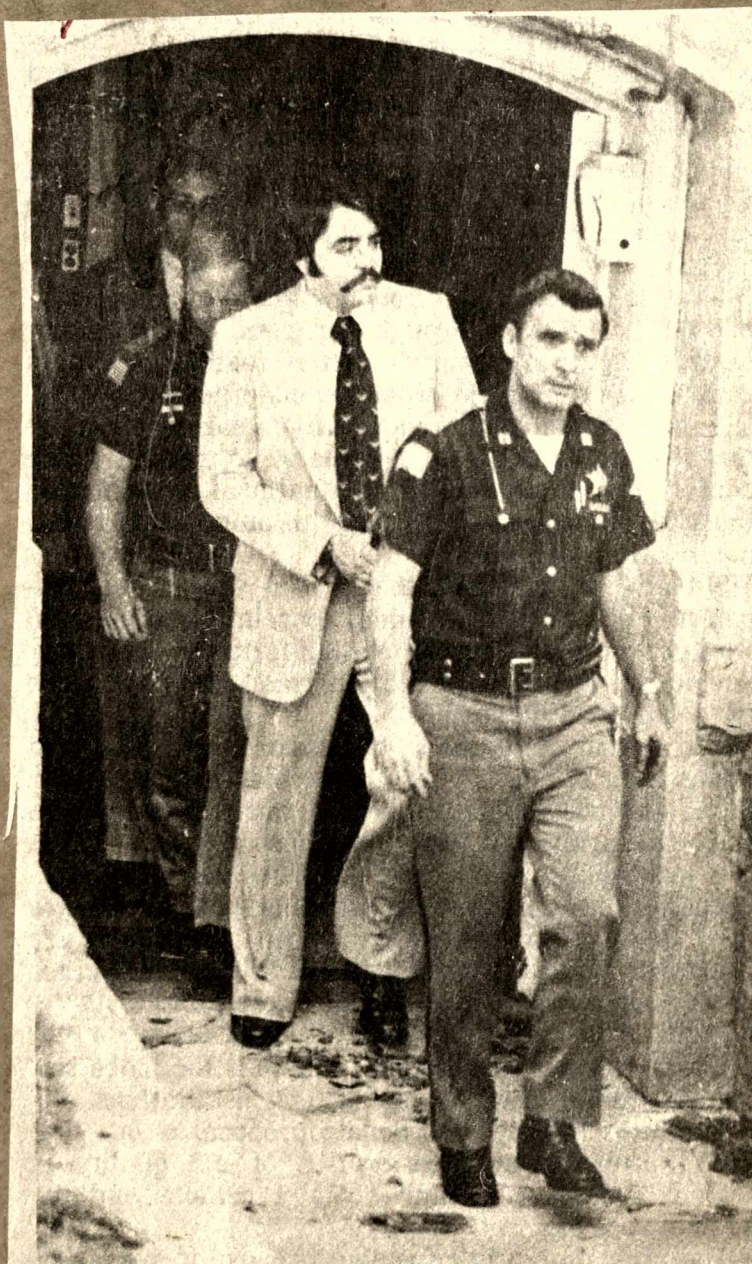
Hanner said Woody didn't have to "reconstruct conversations" or "take things off the top of his head" like Norton did. Pointing again at Norton, Hanner boomed, "This man, in cold blood, hired this man Woody, intimidated Woody to do it. He said he told Woody he was dumb. Woody was dumb, he would do anything he was told. But if Woody had kept his mouth shut, we wouldn't be here today."

Hanner showed the jury the blood soaked T-shirt of Bret Norton and pointing to the knife slit in the back, said "It's smaller than the other slits, apparently the knife went clear through."

Hanner concluded with saying "If we lose this trial, the blood of a wife and son will allow this man to get \$604,000. We ask that you find him guilty of two counts of murder in the first degree."

In his instructions to the jury, Judge Shipman said the 12 jurors could return one of five possible verdicts for each charge. He said

they could find the defendant not guilty or they could rule that he was guilty of first degree murder for which the penalty is death. He defined first degree murder as premeditated, with malice, and said anyone who aids, abets, or induces is as guilty as he who does the actual killing. The third alternative was second degree murder, killing with no premeditation and carrying a sentence of life imprisonment. The jury, Judge Shipman said, could also rule voluntary manslaughter, which was murder with malice, or involuntary manslaughter, killing another human being, but with no malice involved.



JUDGED GUILTY. Guarded by Benton County sheriff deputies, Donald K. Norton leaves the courthouse through a basement exit after being found guilty of two counts of first degree murder in the January 10 slayings of his wife and son. The 11-day trial ended Monday night, August 23.

Photo Courtesy of The Clintonian

Norton Murder Case Goes To The Fowler Jury Today

Crimes + Criminals, Ind.

SEP 1976

BY RICHARD E. HARNEY
PUBLISHER

Last Wednesday, a Benton County Circuit Court jury found out they had heard testimony from an accomplished liar. The problem facing the six men and six women making up the jury was to decide who it was - Benjamin P. Woody or Donald K. "Chet" Norton.

It was the eighth day of the murder-for-hire trial of Norton at Fowler. Norton is accused of hiring Woody to kill his 26-year old wife Christine and their four-year-old son Bret at their home in Rockville on January 10.

Monday and Tuesday, August 9 and 10, was used to select the 12 member jury plus two alternates. One of those alternates has since been released because of personal matters. The prosecution, represented by Clelland Hanner, Parke County prosecutor; John Dowd, deputy prosecutor; and John Barce, a Fowler attorney; rested its case last Tuesday as the court recessed at 4 p.m.

When the trial reopened Wednesday at 9:30 a.m., one of Norton's attorneys, E. Kent Moore, asked for a "directed verdict." Moore argued that the prosecution had not proven that Woody had been hired, but that there was only a promise of payment at some future date. The prosecution contended that the crime was to "undertake to hire." Judge Perry Shipman, presiding at the trial, overruled the defense motion.

Then the defense began to present its arguments and the first witness called was the accused, "Chet" Norton. Norton, 27, said he had acquired the nickname in the eighth grade and was a native of Lebanon.

Norton began his testimony in a rambling, narrative style. He said he had met his wife Christine

Indiana State University while they were both students there. He said he was introduced to her by Steve Jones and they began dating, then married. Norton said he dropped out of ISU because of a low grade average, but Christine remained and graduated.

Norton's description of his activities on January 9 was in direct conflict with the story Woody had told the jury the week before. Norton basically placed himself at the same places and times as Woody had described, but for different reasons. Woody told the jury that the day was spent in planning and getting equipment for the murder, all of which was vehemently denied by Norton.

Norton said that on that Friday he got up about 8:30 a.m. and went to the bank to cash a check and put gas in the car. He said he went to Montezuma and picked up Woody outside of Woody's house about 9:15 a.m. and they drove to Newlin's Service Station and got Cokes. He said Woody "was high on something and sat in the seat rocking back and forth."

The pair then started for Indianapolis in Norton's car. Norton said they had planned the trip the day before because Woody wanted to get a rental car to deliver some dope. "Woody started to tell me where the dope was coming from," Norton said, "but I told him I would rather not know anything about it."

The accused said he had met Woody in a bar and that "Woody was usually in a bar". He said their friendship started in April of 1975 and that he had never known Woody to work. He told the jury that Woody was supposedly disabled from service in Viet Nam but "wasn't injured so that you would notice." He said Woody played basketball, was a good arm wrestler and rode a motorcycle, doing "wheelies" and standing up on the seat and balancing himself, riding without using his hands.

Norton said he had tried to sell Woody insurance when he (Norton) was a Prudential Insurance salesman. He said he told Woody that he (Woody) needed insurance to have a college fund for his boys and Norton said he told him how much insurance he had on his own son Bret. Norton added that he had also discussed insurance with Steve Jones and that Jones had purchased a \$68,000 policy with triple indemnity.

Norton testified that he had told Prudential he was quitting and the company never said anything about him being fired. He said he did well with the company, making his quota of \$20,000 in sales and later attaining his quota of \$30,000. He said his pay increased every quarter and those increases were the results of sales.

Going into the insurance question which has been listed as a motive for the murders by the prosecution. Norton said that when he joined Prudential he didn't have much insurance and had a computer check made to determine how much insurance he needed. He said he took out a

\$100,000 policy on himself and then increased it to \$150,000 in January of 1975. In February of 1975 he took out the same amount on Christine with the purpose that if anything happened to either one of them, there would be enough money for the survivor to quit work and "take care of my son". He said both policies had accidental death benefits and triple indemnity which was a standard thing to do. He said next he took out a \$10,000 policy on Bret to build up a cash value so when he reached the age of 18 he would have money for college. He said he purchased another \$40,000 policy on Bret because the original one didn't build up money fast enough for the planned college education. He told the court he had discussed all the insurance purchases with his wife. He later bought two additional policies on himself. Norton said the insurance was purchased as a savings plan to build up an estate because he and his wife had not been able to save much money.

Norton told the court that he told everyone how much insurance he had himself and used his purchases to sell insurance to others. "If I didn't believe in it, I wouldn't have it myself", Norton testified as to his use of his insurance on potential customers.

A DIFFERENT VERSION

On January 9, Norton said he took Woody to Indianapolis and they stopped at the Burger Chef in Danville because Woody wanted something to eat. There they discussed where to get a car because Woody was unemployed and had no credit. In Indianapolis, they stopped at a phone booth to look for rental agencies in the phone book and Woody ripped the listing page from the book. They then went to the airport, Woody went in and returned in 15 or 20 minutes. Norton said Woody had rented a small red car, "either a Pinto or Maverick, I can't remember." They then stopped at Howard Johnson's for ice cream and he followed Woody to the Holiday Inn where Woody left the car behind the motel, rejoining Norton. The two then went to Montezuma.

Norton said he let Woody out in back of a tavern and then around 2:30 p.m. went to pick up Bret at Jack Brown's house, his father-in-law. He and Bret drove around doing what Bret called "fooling around." Norton said this was a time he and his son drove around and he let Bret pretend to drive the car. "It was a time for us to be together", Norton said. They then went to the Montezuma school to get Christine and the three returned to Rockville.

Norton testified that he told Christine about a call to the Brown's concerning their dog which had run away on New Year's Day. The Norton's had run an ad in the Rockville Republican and the Rockville Tribune, listing the Brown's phone number. The three stopped at a Rockville residence to check on a dog that had been found, but it was not the right one. They then went to the bank to cash Christine's check and she put the money in her coat or purse, Norton said. They then went to their home and his wife

made another call about the lost dog.

Norton told the jury that he had to take his Corvette to Tom Barr's in Clinton, which they did, returning through Montezuma to pick up his wife's car at the school. They returned to Rockville and Norton said he showered and changed clothes. The three then went to the Roma in Clinton to eat, returning to Rockville a little after 8 p.m.

The accused testified that he asked his wife if she minded if he went out and had some drinks and played some cards. He said she told him she didn't mind, but asked if he would rather not stay home and watch a show called "Chief Joseph" on television with her. He said he went to Montezuma in his wife's car and visited several taverns, played pool and poker, returning to Rockville about 3:45 a.m. Saturday, January 10.

THE MURDER SCENE

Norton told the court that he put his car in the garage and entered the house from the door which goes from the kitchen to the garage. He said he saw the back door was ajar and "became wary." He said he saw a note from Christine that his father had called, glanced into Bret's room and then entered the master bedroom. His wife was on the wrong side of the bed he told the jury, but the lights were off and he could not see clearly. "I said Honey, why in the hell did you leave the back door open", Norton said, adding that he then turned on the overhead light.

His voice trembling and low, Norton said his wife was on her back, all bloody. "I ran and put my arms around her," Norton said, "but she was cold." His voice cracked as he told of running to Bret's room and flipping on the light to see his son all bloody. "I took him in my arms," Norton said, "and started carrying him around. I held him against me while I called

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✓Norton Trial

(Continued From Page One)

the operator and told her to send the police and ambulance. I was in shock. I went to the bathroom to wash him off. His little mouth wouldn't close and he was still warm." Norton said he then put Bret on the bed with Christine and put his arms around both of them. He then went to the front door and opened it just as Rockville police officer John Jackman drove up.

Norton said both the account of subsequent events as told by Jackman and Parke County Sheriff Gary Cooper the week before was accurate.

Norton said Dr. Frank Swaim, Parke County coroner, came and questioned him at the dinette table and asked him if he had any history of mental illness, how much he had to drink and where he had been that night. He said Indiana State Police Detective Lloyd Heck questioned him and he told Heck that he didn't want to call his family or the Browns in the middle of the night and wanted to tell them of the deaths personally.

Norton testified that he told Jack Brown about his daughter and grandson after getting him out of the post office where he worked. He said he asked if Brown wanted him (Norton) to go with him to tell his wife, but Brown said no. He then drove to his parents' home in Lebanon and told them.

He said his reaction was that of shock and anger. He said he called Steve Jones about 10 a.m. Saturday and told him he (Norton) had some ideas about who might have done the killing and asked Jones "to keep your ear to the ground" to help find out who did it. He said he asked Jones to the house, but Jones was "hesitant" and said he couldn't come. Norton also called the sheriff's office to report where he was, at his father's suggestion.

Norton said that on Sunday someone brought the Indianapolis Star to the house with the article about the murders and the insurance he had on the two victims. He called Cooper and read him the article and asked if Cooper had told the Star. He said Cooper hesitated and then said he

didn't really say it that way. Norton then offered to show the sheriff his policies, which he said he did on Sunday when he came to Rockville with members of his family to make funeral arrangements.

The defendant said he was asked that Saturday by State Police to take a lie detector test as soon as possible. He told them he would talk it over with his father, and then added that his father suggested he take the test which he took the following Thursday. He then told the jury the questions he was asked during the test.

Norton said his father suggested he get away for awhile and he went to Davenport, Iowa on January 17 taking Dixie Custer with him. Prior to leaving he filed the insurance claim for the \$604,000, on January 14. But Norton said several Prudential representatives were at the funeral home and one had suggested he get the claim filed.

THE TRASH BAG

Norton admitted he furnished the money for the various items found in the green trash bag which had been used by Woody to commit the murders. He said he went with Woody and McConnel to Terre Haute in mid-December and the items cost between \$120 and \$150. He said they were purchased to rob a high stakes poker game at a Rockville home, but the robbery was never carried out. He said he took the bag to Miss Custer's trailer on December 20 while he was on a hunting trip.

Norton told the court he and Woody went to Illinois on December 30 and picked up the bag. Woody had testified that they picked up the bag on January 5, Monday of the week of the murders, but Norton said that was not true.

He said he and Woody went to Springfield, checked his post office box and then went to a pool room. He said they met a girl he knew by sight only, there was some casual conversation with her on the street, and they went on. Norton told the court he and Woody got the bag from Dixie and he argued with Woody, telling him he (Woody) was stupid that everyone knew robbing a card game was silly. He said he had earlier showed

Woody books on crime and punishment where everyone gets caught sooner or later. "Woody was the last one to give up the idea of the robbery" Norton said. He said he gave the bag to Woody and told him "You can have it, I don't want anything to do with it." Norton said he never saw the bag again.

On Thursday, January 8, Norton said he picked up Woody to take him to Clinton to make his unemployment claim. Woody, Norton said, asked if he could borrow the Corvette because he "had something coming down." Norton said he couldn't because if Woody got caught, he (Norton) would "get busted too." He then suggested Woody rent a car. They went to Terre Haute but were unsuccessful because Woody had no credit.

"Did you ever tell Woody that Bret had leukemia?" Norton's attorney asked him and Norton said he had not. He also denied ever offering Woody money to kill his family or ever threatening Woody or his family.

FRIENDSHIP SOUR

In testimony about Steve Jones, Norton said he and Jones were friends at one time. He testified that Jones had asked him to line up girls when Jones was not getting along with his wife and that Jones had once told him he had a couple of cute high school girls lined up, but Norton said he refused to have any part of it. But he said Jones told him later he had the date. Once, Norton said, Jones wanted to ride around with some high school girls in Norton's Corvette and Norton had loaned him the car but said he refused to go "because Rockville is too small for that sort of thing to go unnoticed."

Jones, Norton said, used drugs and the two had smoked marijuana together and he had seen Jones take mescaline. He testified that Jones and he talked a lot about Jones' marital problems and that in March or April of 1975, Jones had called crying and asked if Norton had asked his wife to go to Terre Haute with him. That, Norton said, ended the friendship. Prior to that, on a hunting trip, Norton told the court that Jones asked him to say he had had sexual intercourse with Jones wife so she would be declared an unfit mother and Jones could get custody of their child. "I refused" Norton said.

Norton said he called Jones on December 27 and asked him to come to Terre Haute and give him a ride to Rockville because his car "had blown up." Jones did and Norton said their conversation enroute to Rockville was "very trivial" and he tried to renew his friendship with Jones. He denied offering Jones money at that time to kill Woody for \$10,000 which Jones had said happened, in his testimony the week before. Norton said later he asked Jones to dinner and to watch a football game, again trying to make friends with him. He said Jones came and they took a ride but returning Jones spent most of his time in the kitchen talking to Christine. That evening the three Nortons and Jones went to a movie.

SPECTATORS ADMONISHED

When court resumed following noon recess, Judge Shipman admonished the spectators not to make comments on the witness' testimony and answers. Throughout the morning there were several adverse verbal reactions from the spectator gallery to Norton's testimony.

Continuing, Norton said the family had moved to 213 North Virginia in November of 1975 from the Colonial Apartments where they had lived for almost three years. He said they fixed up the house, repainted the bedroom and he bought his wife a washer, dryer and a refrigerator.

Norton said Woody was at the house only twice. Once was when he and another friend were painting the bedroom. He said he had shown Woody his guns and told him where he kept them. He added that he had taught Christine to shoot and while they were at the apartment, she often slept with a gun under her pillow. That didn't happen he said after they moved to the house.

Norton said there were never

any nude photos taken of he and his wife and that she would not have permitted such a thing.

Norton said he had given his knife, a duplicate of the murder weapon and purchased in Terre Haute, to Steve Phillips to sharpen. He said in late December he had been deer hunting and was wearing the knife when he went to a Montezuma tavern. Phillips asked to see it, Norton showed it to him and asked him to sharpen it.

In other testimony, Norton said Woody used considerable drugs, marijuana, hashish, cocaine, LSD, mescaline and a drug called "orange sunshine." He said Woody and he had smoked marijuana together and he had seen Woody use LSD.

Around 2 p.m. Wednesday, the prosecution took over to cross examine Norton. Clelland Hanner questioned the defendant, using a gruff, often loud voice. The exchange between Hanner and Norton was clearly hostile, on both sides.

Asked if he refused to cooperate with the lie detector test operator and if he didn't flex his arms and argue with him, Norton denied it. Hanner asked three times if Norton had refused to take a second lie detector test. Each time Norton said he couldn't answer the question "yes or no". Hanner asked again and judge Shipman told Norton he must answer yes or no. Norton then said "yes", then blurted out, "why should I take it again, when I already passed it?"

Hanner asked how often Norton was at home and after verbally sparring with the defendant, Hanner said "You were never at home were you?" Norton gave no answer.

Under questioning, Norton admitted that he maintained an apartment in Springfield from April to July of 1973, but denied

he had a woman living with him, saying he saw women though. Asked if he also had another apartment at another time in Springfield, Norton denied it, saying he had rented it for Dixie Custer in his name because she didn't want anyone to know she lived there and was alone.

Norton said on January 9 he cashed a check for \$30, but said he had about \$250 in his pocket. He said he couldn't remember why he cashed the check. He also said he couldn't remember if he and Christine had planned the dinner at the Roma in advance or if it was a spur of the moment thing. "I don't think so. I may have. I just don't know," Norton told the prosecutor.

Asked if Woody ever discussed selling dope with him, Norton said Woody was always talking about it, but "I just listened with one ear." He described Woody as "A good friend, somewhat" and asked if Woody was a good follower, Norton said "He didn't follow me."

The sparring between Hanner and Norton continued, and Norton became more hesitant in his answers, continually saying he couldn't remember and when asked about conversations, told Hanner "Would you like me to reconstruct that for you." Hanner's usual reply on these

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Norton Trial Continued

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many occasions was "Yes, Mr. Norton. Please reconstruct that for us."

Norton admitted renting the pistol and the plans for the robbery. He detailed the purchases at various Terre Haute locations and said he took the items in the trash bag to Miss Custer's to store them there. He said he, McConnel and Woody planned the robbery during several drinking sessions.

Asked why he bought the shotgun, Norton said, "To induce them to give us the money. You don't just tell someone to give you money, you have to have a weapon." Asked the purpose of the knives, Norton said they were to cut the phone wires. "You mean," Hanner said, "that you bought \$40 worth of knives to cut phone wires?" Norton hesitated, then said "Yes sir."

Norton said he couldn't remember if he ever told Woody about the family's missing dog and also said he couldn't remember if he paid the utilities on Miss Custers apartment, but "If I did, she gave me the money." Norton said he couldn't remember discussing the amount of his insurance with Woody at a tavern in Montezuma but said he had never shown him any policies. He also said he didn't know anything about the pair of sunglasses which Woody said Norton gave him as a disguise.

THE CIGAR BOX

The cigar box which has been frequently mentioned during the trial was explained by Norton. Jones had testified that at the meeting when Norton offered him \$50,000 to kill Woody, Norton had taken a cigar box from his car and put his coat over it. Asked about it, Norton told Hanner it contained his credit cards and drivers license. "You carry all that around in a cigar box?" Hanner asked. Norton replied, "I seldom carried a wallet."

Norton said he had discussed the murder of his family during the ride with Jones and said he told Jones he had four or five ideas of who did it, but would rather not say. He said Jones told him that if he (Norton) couldn't kill the persons who did it because the police were watching him, but that he (Jones) could do it. He said the conversation at the funeral home with Jones consisted of telling him to keep his eyes open and to see if he could find out anything because the police were not coming up with anything.

Asked about his girl friends, Norton said he never lied to his wife except when he went to see other women, usually telling her he was going hunting. Hanner said, "So when it suits your purpose, you can lie?" There was no response to the question. Asked if Norton and his wife had argued at the Roma that night about money, Norton said they had not. Hanner also asked if

Norton was in the habit of carrying a gun. Norton said not often, maybe one day a week. He admitted he often kept a ballbat in the car.

Hanner asked when Norton knew his wife had not been raped. Norton said he knew when "I saw she was fully clothed."

Norton, under questioning, said on Sunday or Monday he told State Police Officer Mike Eslinger that the only thing from the home he could find missing was a hunting knife. He said that on Thursday he and relatives returned to the house and in checking his wife's purse, found there was no money in it, "every cent was gone," Norton said.

CROSS EXAM CONTINUES

The testimony was stopped at 4 p.m. Wednesday for the day. Thursday at 9:30 a.m. Norton took the stand to continue cross examination by Hanner.

Norton admitted staying at the Imperial House in Terre Haute a couple of days in December. He said he always gave his post office box in Springfield as the address on the registration. Norton said that in the six months prior to January 31 he stayed in motels on the average of once a week. Asked what his territory was for Prudential, Norton said he could sell insurance anywhere in Indiana, but his collection territory was in the Terre Haute area.

Asked again about Jones coming to pick him up in Terre Haute, Norton said he couldn't remember what time Jones came or when they returned to Terre Haute. He said they talked about Jones' money problems and Jones kept telling him about his "conquest of high school girls." Woody's name never came up, Norton said.

At the funeral home, Norton said that on Monday he told Paul Rosenbaum that he wanted to talk to Jones alone and they walked to the corner and back. He said he also went outside with six or seven other people. But he said he did not ask Woody to go outside, but that Woody asked him to go outside. "I can't remember everything" Norton said, "I was sad and broken up." Hanner asked, "Were you sad and broken up when you went to Davenport with Dixie?" There was no reply.

Norton said the first person he told about the murder was Jack Brown and then his parents. He said Jones was the only one, outside the family, that he called.

On the day of the funeral, Norton said he escorted Jones to his seat and introduced him to his family. He said he had a conversation with him, but couldn't remember if it was outside or in. Jones told him he had an idea who the killer was, but didn't say according to Norton. Norton said he told Jones that "If I know who did it and the police don't do anything, I will."

Norton said Jones called him on January 17 at Lebanon and wanted him to come to the Jones' home. Norton said he told him he was going to Illinois but would meet him in Montezuma. He said they got in Jones' car and drove to Clinton and back. He said Jones seemed very excited and said the police had asked him about a gun Norton had and what had happened to it. Norton told the prosecutor that he had bought a gun from a "guy in a bar" for \$20 in Illinois. He said he collected guns and in January had three pistols, a rifle and a shotgun. He said he sold the gun he bought in Illinois for \$20 to Jones and that Jones had shown it to all the teachers in Rockville. Jones wanted to know if the gun "was hot" Norton said and he told Jones it could be hot and said it was best to throw it away. He said he was with Jones when the gun was thrown in the river.

Norton denied he ever told Jones about any murder in Ohio which he and Woody took part in and didn't "know anything about any murder."

Under further questioning by Hanner, Norton denied he had read the book "Helter Skelter", the story of the Manson family, but said he had heard about it. He said he read many books, mostly western and detective stories and

books on the Mafia. He said he had taken two volumes entitled "Crime and Punishment" to Woody's home to prove to him that no one could commit a robbery and get away with it. He denied ever discussing murder with Woody.

Asked about where his wife usually slept, Norton said "most of the time on the right side, but it depended on where she wanted to sleep."

Norton identified all of the items from the green trash bag. Asked where his items were (the extra ski mask, radios, gloves, etc.) Norton said the last time he saw them they were in the bag when he gave it to Woody in Illinois.

Hanner mentioned an incident in 1972 when Norton supposedly left Christine and Bret in Davenport, Iowa, where they were living, without food or money. Norton said he went to Florida to attend a convention and get a national trophy for excellence in sales and was gone four or five days. He said he asked Christine to go but she wouldn't. He said when he returned, she was at her parents' home in Parke County.

Asked why he carried a gun, Norton said when he worked for Prudential and Regal he had money from collections on him. Hanner asked "Do Prudential agents carry guns." Norton said no. Hanner then said "You got fired didn't you?" Norton said no.

Norton then left the stand after testifying for seven hours over the two day period.

DEFENSE CONTINUES

The defense then recalled Indiana State Police technician Jerry Statler. Asked if fingerprints could have been lifted from the pair of sunglasses Woody said Norton gave him, Statler said yes, but he had not done so. Statler was shown a photograph, apparently of fingerprints on the rear door of the Norton home, and was asked if he had ever compared the prints. Statler said they were not clear enough. Asked if anyone had concluded if the murderer was left or right handed, Statler said the opinion was he was probably left-handed.

Donald Pratt, a three year veteran of the Marine Corps and a distant cousin to Norton, took the stand and testified Jones had hunted with he and Norton on occasion. Pratt said he once saw Jones use marijuana, in fact all three of them had. He also said Jones told them he had used LSD.

In one conversation, Pratt said Jones bragged about having sexual intercourse with high school students and had asked Norton if he would have intercourse with his (Jones') wife so he could get custody of their child. Pratt said he had observed Norton around his son Bret and "there is no way to describe the love between them."

Hanner asked Pratt to give him the names of the girls involved with Jones, but Pratt said no names were ever mentioned. Asked if Norton ever described his affairs, Pratt said "Don never boasted, he didn't have to. He was too much of a gentleman to discuss sex he might have had with other girls."

Dale Newlin, owner of Newlin's Standard Service in Montezuma, was next in the witness chair. Newlin said the Nortons and Browns were regular customers and on January 9 Norton and Woody were at the station but purchased no gas. He said it was easy to see Woody in the car. Newlin testified that later Norton came in with Bret and put gas in the car and then came back later with Christine and Bret, around 5 p.m. and put gas in Christine's auto. He said when Norton and Woody were in, it didn't appear Woody was trying to hide. Asked about the relationship between Norton and his son, Newlin said there was nothing unusual, "a typical father-son relationship."

Robert Stewart, who was employed at the Newlin station in January, was called next and said he was there when Norton and Bret came in. He heard Norton say they were going to the school to get his wife and then take the Corvette to Tom Barr's. He said school was out in Montezuma around 3:10 p.m. He also said he saw Norton, his wife and son, get gas around 5 p.m. Stewart said he

did not see Norton and Woody in the station that day. He also, testified that Norton had once tried to sell him insurance.

Hanner asked Stewart if Norton had told him how much insurance he carried on his wife and son and Stewart said he had not. Asked when Norton and his son were at the station, Stewart said he "had no idea."

MOTHER COLLAPSES

Frances Norton, mother of the accused, was the next defense witness. She said her son and family came to visit in Lebanon often and described Christine as a "very loving, very great person." Throughout her testimony, Mrs. Norton was on the verge of tears and broke down several times during her testimony. She said Christine was "like another daughter" and they shared confidences. She described the relationship between her son and Bret as "very good", and gave two instances of his concern for the boy. She said he was very cautious where Bret was concerned and gave as an example a time when Bret choked on a Life Saver and Norton took him to the hospital. Another time, Mrs. Norton testified, Bret had been hurt in a fall and afterwards, her son was always looking out the window whenever Bret was outside. She said Bret was a very light sleeper.

Mrs. Norton said on January 10, her son came to Lebanon and he "looked so white. He was like a dead person inside." At times, Mrs. Norton said, her son was angry and once said "If I had been there I could have saved them." Worried about her son's mental state, Mrs. Norton said she called a doctor for him.

Throughout his mother's testimony, Norton sat at the defense table and cried.

Mrs. Norton completely broke down and leaned forward holding her stomach when she told of the blood on her son's shirt where he had carried Bret about the house and said she washed the shirt for him. The prosecution said it had no questions for the witness.

A furor was caused when Mrs. Norton left the courtroom and as she descended the back steps, collapsed. Several sheriff deputies rushed to her aid and she was taken to the auditor's office. She had earlier said she had a history of high blood pressure. She was revived, and no medical aid was summoned, other than first aid given by Benton County Sheriff Donald Steely. There was a short recess called while members of the Norton family and police administered aid to the stricken woman.

Dorothy Grimes of Crawfordsville, an aunt of Norton's, said Christine was "the most wonderful girl I ever met, I would have been proud to have her as a daughter." Mrs. Grimes also wept when relating the events of January 10. She said her nephew "worshipped Bret." On January 10, she and her husband David went to the Norton home at Lebanon to stay with the family and "all of us cried together." She said Norton was extremely upset, he cried, was angry and threatened to "go after whoever murdered his wife and son." She said he refused to eat.

Mrs. Grimes said she was present when Norton received a call from Jones on January 17. She described Norton's end of the conversation as "I'm getting ready to leave . . . guess I could, but couldn't it wait . . . all right, I'll meet you at Newlin's Filling Station around noon." Mrs. Grimes said she did not know her nephew took Dixie Custer to Iowa with him after the funeral.

Asked by the prosecution if, after he left Prudential until the murders, if Norton wasn't gone most of the time, Mrs. Grimes said "I don't know."

Pam Norton, 21 year old sister of the accused was next in the witness chair. She said she was as "close as sisters" to Christine and they exchanged confidences. She said Christine was "very kind and there is nothing I could say bad about her." Miss Norton said Christine "loved Don and never

complained. They had a happy marriage." In describing the relationship between her brother and Bret, Miss Norton said her brother "adored Bret. Nothing was more special to him than his own son."

At the funeral home, Miss Norton said her brother was very bitter and sometimes had to be alone. She said he sometimes cried and wouldn't eat from Saturday through Tuesday. She said she knew Benjamin Woody and he came to the funeral home Monday afternoon. She said Woody and his wife extended their sympathy, then Woody asked her brother outside and they were gone five or ten minutes. When Woody came back for his wife, Miss Norton testified she asked him if her brother had asked him for a gun. Woody said no and Miss Norton said "If he does, don't give it to him." She said she was concerned for her brother's mental state and thought it best he not have a gun because his actions showed he wanted to get revenge.

Miss Norton said she was also present when her brother got the January 17 call from Jones and related Norton's side of the conversation about the same as had Mrs. Grimes.

Miss Norton said Jones came to the funeral home and seemed "interested in where I was living, and what my future plans were." When the defense attorney asked her if Jones was trying to get a date with her, the prosecution objected and the objection was sustained.

Under cross examination by the prosecution, Miss Norton said Woody did not seem upset at the question about the gun and that she knew nothing of an apartment her brother kept in Illinois.

David Grimes, married to Norton's aunt, took the stand and

said his nephew had a "close" relationship with Bret. "They always had a big time together, he worshipped the child", Grimes told the jury, adding "Bret felt the same way about his dad." Grimes said that at the funeral home Norton broke out in tears often and sometimes cried violently. At other times, he seemed stable, Grimes said.

Grimes said he accompanied Norton and his father and another distant relative Lt. Richard Shelton, post commander of the Lafayette Indiana State Police

Post to Putnamville. He said Norton took the lie detector test and they returned to the Norton home in Rockville and then went to Lebanon. Grimes said he also went to Terre Haute with Norton and his father so the younger Norton could change the beneficiary on his own insurance policies.

The prosecution asked Grimes if Norton was home when he visited the Rockville residence and Grimes said "not too many times." Asked if he was aware of

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X Norton Trial Continued

(Continued From Page Five)

his nephew's apartment in Illinois, Grimes said he was not. Grimes was then asked if when the group went to Terre Haute if anything was said about filing a claim for the \$604,000 worth of insurance and Grimes said he didn't know anything about it. He also testified that Norton had expressed thoughts of "doing harm" at the funeral home to whoever killed his family.

TRIAL CONTINUES

The trial went into its tenth day Friday and the first defense witness was Kieth Norton, father of the accused. He said he was vice president of a manufacturing firm headquartered in Bowling Green, Ohio.

Mr. Norton said his son and grandson had a close father and son relationship and described as an example the time Bret had fallen as told the day before by his wife. He fought tears during his testimony and said that on January 10, his son was "in a state I had never seen before."

The elder Norton said he went to Terre Haute with the group so that his son could change the name of the beneficiary on his own insurance policies and said that the claims for the \$604,000 were also filed that day.

He told the court that he helped move the Norton's furniture out of the Rockville home in late January and found a key to the house in the davenport. Mr. Norton testified he had met Jones and saw him talking to his daughter at the funeral home.

Mr. Norton said he told his son to get a change of scenery after the funeral, to get away for a couple of days. He said his son left about 11 a.m. that Saturday but before he went he got a call from Jones. He related his son's end of the conversation about the same as had his daughter and Mrs. Grimes earlier.

He also testified that he paid off his son's indebtedness, which amounted to about \$6,000 to \$7,000. Included in that amount was a bank note for \$1,000 for Christine's summer school expense, a \$900 loan from his son's former employer, a loan on Christine's car and other items.

Mr. Norton said that after the

lie detector test he asked Indiana State Police officers if they were satisfied. Shelton said yes and Sgt. Lloyd Heck nodded, Norton said.

Asked by the prosecution if after the test his son had been asked to take another test, Mr. Norton said "Not to my knowledge." Asked if anyone actually told him his son had passed the test, Mr. Norton said yes and identified Lt. Shelton as saying so.

The defense then brought Dr. Edgar Stuntz, a psychiatrist, to the stand. He described the effects on a person using LSD as one of possible extreme rage and extreme panic. He said using "speed" could cause a person to be suspicious of others and to have a feeling of persecution, of being watched, followed and a fear of being killed. Asked by attorneys if a person using drugs constantly could fear harm to their family, arm themselves and seal themselves in their home, Dr. Stuntz said that would be consistent with results he had found. Asked if such a person feeling remorse would want to share the blame, Stuntz said they might.

Under cross examination, Dr. Stuntz said he had never seen or examined Woody. He said frequency and amount of drug use would have a large bearing on a person's behaviour. He said he had no information on what drugs Woody took or how often. He also said LSD could adversely affect a person's memory and his ability to recall.

The last witness was Richard E. Harney, publisher of the Rockville Tribune and Rockville Republican. He testified that the ad for the Norton's lost dog had been placed on January 2.

The defense ended its presentation at 11:05 Friday.

In rebuttal testimony, the prosecution called once again ISP officer Jerry Statler. Statler said it was determined at the autopsy that Christine Norton had not been raped and he told Norton that fact on Sunday. He also testified that Jones had contacted police after Norton offered him money the second time to kill Woody and after that "became an agent for the police." Statler said on January 10, Norton was asked to take a lie detector test, but said he wouldn't until he talked to his father and refused to take another after he had taken the first. Statler said no one told Norton he had passed the test.

The prosecution then brought John Danberry to the stand, the ISP lie detector test examiner. Danberry said he had given 3,000 tests since 1970 and described

how the test works for the jury. He said a person's responses are based on their breathing, blood pressure and skin response (nerves). He said Norton, as was normal in a test, knew all of the questions that would be asked before the test began. He said Norton did not cooperate, was argumentative, talkative, moved, turned his head, and shifted in his chair. When the question was asked if Norton "Knew or believed your wife was alive when you arrived home". Danberry said the response indicated he was not telling the truth. "In my opinion, he failed the test," Danberry said. He also said he didn't tell anyone Norton had passed it.

The defense asked if he told anyone Norton had failed or passed. Danberry said he told police "Be careful what you say to that man because you may want to test him again." He again said he didn't tell anyone Norton passed or failed.

Next on the stand was Lt. Shelton, who said he was distantly related by marriage to the Nortons. He said he went to the home in Lebanon on January 10 and that Norton was upset and angered, but he did not see him cry. "His anger was more by conversation than action," Shelton said. Asked if when they sat down to eat food which was brought to the house if the accused ate, Shelton said "Yes, he ate some."

Shelton denied telling anyone Norton had passed the lie detector test, but told the family that "They seem satisfied today, but want him to take another." He said he accompanied members of the family who went to the Norton home after the test and was there when Norton discovered that the money was missing from Christine's purse.

Shelton said while there, Norton demonstrated for them what he (Norton) thought had happened on January 10. He said he thought the murderer came through the patio door through the kitchen, down the hallway to the bedroom. Shelton said Norton showed how he thought his wife had been stabbed, "taking a position over the bed and making stabbing motions." Blood was still on the mattress, Shelton said.

Under examination by the defense, Shelton said he had "flashed a sign" to the Norton family after the test, a sign commonly meaning "okay". Shelton said he got the impression that the answers to some questions were favorable and others unfavorable. He also said Norton told him he thought more than one person had been to

the house January 10 and maybe one killed Christine and another knifed his son.

Jack Brown, father of Christine, testified that when the Nortons lived in Iowa he had to go pick up Christine and Bret and the "icebox was bare." He was prevented in telling what his daughter told him when the defense objected, saying it was hearsay. Brown said he saw Norton and Bret "when he (Norton) was around" and testified that Norton was gone

quite often. He said Bret indicated that he would rather be with Christine and the Browns than with his father. He said he and his wife had tried to get Christine to get a divorce.

The defense asked Brown if he remembered one night when Norton had called their house saying that he had tried to call Christine, and didn't get an answer. Brown said he did and they went to the apartment and found the phone out of order. Under questioning by Hanner, Brown said that was the only time he remembered Norton had showed concern for his family.

The defense then brought two lie detector operators to the stand, Ronald O. Milks, a detective with the Lafayette Police Department, and Daniel Eberle, a captain with the Lafayette Police Department. Milks read the lie detector test graph of Norton's in front of the jury and said in his opinion, the "subject was truthful in response to the questions." Eberle said he did not "see enough reaction to say the subject was being deceptive."

This left the jury with basically three different reactions to the test results.

The defense called Glenn Norton of Colfax, an uncle of Norton's to the stand. He said he had discussed the lie detector test with Lt. Shelton and Shelton told him "they seemed satisfied and the technician seemed satisfied." Norton said Shelton indicated that his nephew had passed.

The prosecution called Danberry back to the stand, but under constant objections from the defense were prevented asking him any questions about the test.

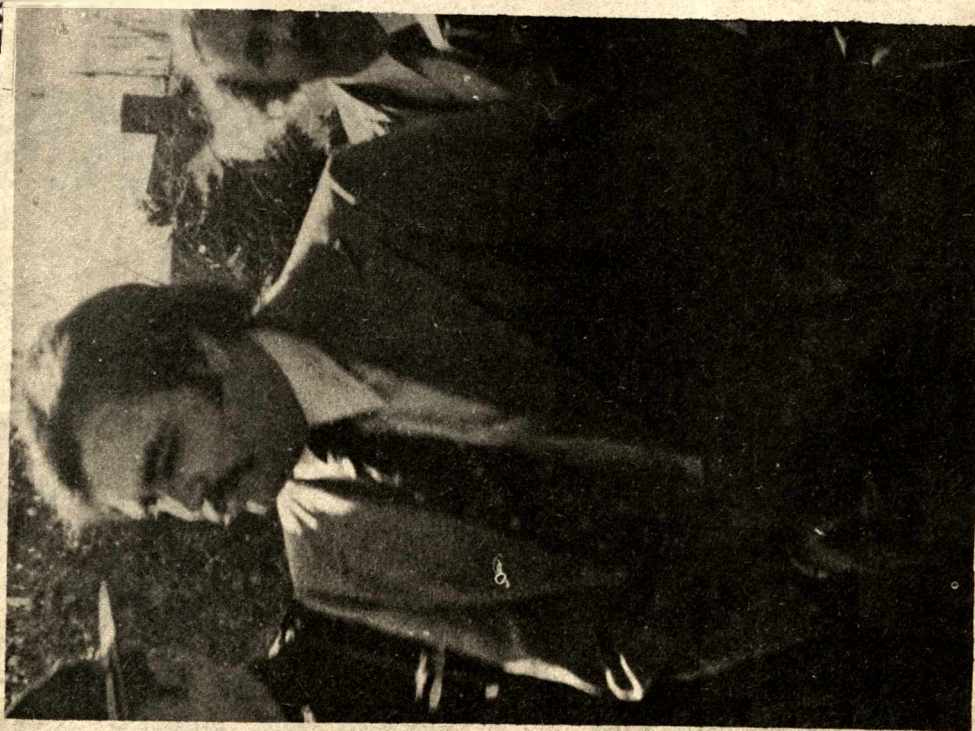
The tension of the courtroom was relieved once during Friday's session when Hanner attempted to ask a question of a witness and defense attorney E. Kent Moore objected, saying it was an improper question. Hanner said "It's the same thing you asked of a witness." Moore said, "That doesn't make it right."

Today (Monday) court resumes at 1 p.m. The prosecution and defense will make closing arguments, expected to take about four hours. Judge Shipman will then give detailed instructions to the jury. Then those 12 people will retire from the courtroom to decide if Donald K. Norton is guilty of two counts of first degree murder, if he did, in fact, hire Benjamin Woody to kill his wife and son on January 10.

Which Man Lied To The Jury?



Ben Woody?



'Chet' Norton?

Rockville Republican 8/30/76 *Crime & Criminals (Tad)* **'Chet' Norton Trial Jury Took 3 Ballots To Get Guilty Verdict**

One juror who heard the murder for hire trial of Donald K. Norton reportedly voted against a first degree murder verdict because she feared Norton, according to an article in the Danville (Illinois) Commercial News.

BULLETIN

The trial date for Benjamin P. Woody has been postponed by Judge Bruce Bade of Blackford Circuit Court in Hartford City. The trial, originally set to begin Tuesday, September 7, has been rescheduled for Monday, September 27. The delay was given to allow to two psychiatrists to examine Woody prior to his trial.

Mark Fozollah, who reported the trial for the Commercial-News, quoted jury foreman William G. Robb as saying "One of the women was shaking and we asked if she voted against because she feared Norton. She said she wasn't afraid for herself, but feared for her family." Robb said the remainder of the jury told her they had agreed to do a job and after they answered some of her questions, "she seemed to calm down."

According to Robb in a telephone interview Friday, the jury first voted nine to three in favor of returning a first degree, murder for hire, charge. That charge carries with it an automatic death penalty. When the jury balloted again, the vote was 11 to 1. On the third ballot, the vote was 12 to 0 in favor of returning a first degree murder verdict.

The jury's decision was read to the courtroom at 9:30 p.m. Monday, August 23, after an 11-day trial. Norton sat without showing any emotion as the guilty verdict of two first degree murder charges were read by Judge Perry Shipman, one for hiring a person to kill his 26-year-old wife Christine and one for hiring a person to kill his four-year-old son Bret.

Robb indicated that the defense was not successful in discrediting the testimony of Benjamin Woody, who told the six man, six woman jury that Norton hired him to kill Christine and Bret at their Rockville home on January 10. Robb added that Woody's testimony was well corroborated by Rockville High School teacher Steve Jones who said Norton tried three times to get him to kill Woody. Robb criticized the defense attorneys, according to the Commercial-News, for trying to discredit Jones with what he called "character assassination." The defense tried to prove that Jones smoked marijuana, took other drugs and dated high school girls, all denied by Jones the day he was on the witness stand. Robb was quoted as saying that even if the defense had proved that Jones smoked marijuana, it would not have changed his opinion of the teacher's testimony because "everyone takes a few puffs of that stuff when they're in college."

Another juror, Mike Snodgeroth, 22, told the Commercial-News that he was convinced of Norton's guilt by the time he entered the jury room, that Woody "seemed to be telling it like it was, but Norton appeared to be lying." He added that Norton thought about every question before he answered, to consider the consequence of each response. "We knew one of them (Woody or Norton) was lying", Snodgeroth was quoted as saying, "It wasn't hard to figure out which one." He also said that Jones offered important support to Woody's story.

Roger Kohlagen of Fowler said in an interview that he didn't think Norton's parents realized what kind of person their son was. "He deceived them and he tried to deceive us," the juror said.

WOODY PLEA FILED

Woody, as self-confessed co-conspirator in the case, has filed an additional plea of "not guilty by reason of temporary insanity", according to his attorney, Donald Gibson of Veedersburg. Woody is being held in the Parke County jail.

Gibson said the plea means that Woody contends he was not in his right mind at the time of the crime. Gibson added that Woody will claim he was insane then only, acting under an irresistible impulse or not knowing right from wrong at the time. In addition, Woody will contend that even if he did know right from wrong, he couldn't control his behavior or resist the impulse, that it was "compelled behavior."

In one of the most dramatic moments of the trial, Woody testified before the Benton County jury as the key witness for the prosecution against Norton. Woody was on the stand a total of eight hours over a two-day period and told of an elaborate murder plot planned by Norton. Woody said he went along because he thought Bret Norton had leukemia, because of the promised

\$57,000 fee, and because he feared Norton would harm his own family if he didn't go through with his part of the plan.

Woody told a hushed courtroom of entering the house and stabbing Christine Norton in her bed and then stabbing Bret Norton while the boy lay asleep in a lower bunk bed in his room. The prosecution presented evidence that Mrs. Norton was stabbed eight times while Bret was stabbed five times.

Woody is scheduled to go on trial Tuesday, September 7 in Blackford Circuit Court at Hartford City. Gibson has asked that Woody be examined by doctors prior to that trial.

Before Woody testified at Fowler, Gibson, in open court, asked him if he knew that he didn't have to testify, didn't have to incriminate himself and would give up his right to remain silent. Woody answered "yes" to each question. Gibson also had Woody acknowledge that he had made no bargains with the prosecution in exchange for his testimony and would receive no special treatment at his own trial.

Clelland Hanner, Parke County

prosecutor, said Woody will be tried under the same charge as Norton, two counts of first degree murder. A guilty verdict would carry a mandatory death sentence. However, Gibson said that if the Blackford County jury decides that Woody was not responsible for his action because of temporary insanity, the judge could order that he be held indefinitely for treatment in a state institution.

Gibson said the defense has retained David Wilson as local counsel in Hartford City. Wilson is associated with the law firm of Bonham Wilson Attorneys.

INSURANCE MONEY

An attorney with the legal department of Prudential Insurance in Chicago said in a telephone interview last Thursday that the insurance money will probably be paid, but the question will be who gets it. Christine and Bret Norton were insured for a total of \$604,000 and that money was listed by the prosecution as the major motive for their deaths.

The Prudential attorney said the only way the money would not be paid was if it could be proved that without a doubt Norton took out the insurance with the sole purpose of murdering his wife and son so he could collect the money. However, if it is determined that he took out the insurance and then later decided to murder his family, the money would be paid. Insurance claims can be contested for a period of two years.

The money will not be paid to anyone until the appeal expected in the Norton case is decided. Only when Norton has exhausted appeals before higher courts will the insurance company pay the claim. In the meantime, it has been earning interest at six percent and will continue to do so until payment is made.

Victims of murder are considered to have died "accidentally." There are only two definitions for death in insurance terms, natural or accidental.

If Norton's guilt is upheld by higher courts, Prudential will then be faced with the problem of who gets the \$604,000. There were four policies involved. One was in Christine's own name for \$150,000 plus a triple indemnity clause for accidental death adding \$300,000 to the proceeds and making total benefits of \$450,000. There was another \$104,000 insurance on Christine as part of a \$150,000 policy Norton had on himself. There were two policies, one for \$10,000 and another for \$40,000, on Bret Norton, for a total of \$50,000.

Of course, if the Benton County verdict is overturned by a higher court, Norton would receive the total \$604,000 since he was listed as beneficiary on all the policies. If the guilty verdict sticks, he would get nothing because Indiana law says that the beneficiary of a life insurance policy who intentionally and wrongfully causes the death of the insured forfeits all rights under the policy.

If Norton is excluded from

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Norton Trial

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getting the insurance money, Prudential will probably have to determine which of the two victims died first. If it is determined that Christine died first, the \$554,000 on her life would go to her estate and pass, even if only momentarily, to her son Bret as her only survivor. That \$554,000 plus the \$50,000 on Bret's life would then go to his estate when he died and could

possibly be paid to both sets of grandparents as his survivors - the Jack Browns and the Norton family.

However, if it is determined that Bret died first, the \$50,000 on his life would go to his estate and momentarily pass to his mother as his only survivor. Then her estate, the \$604,000 total, would go to Mrs. Norton's heirs, probably her parents, the Browns.

Prudential's legal department is reviewing all aspects of the case and conducting their own investigation. An attorney for the company, along with a member of the claims department, attended the Norton trial every day at Fowler.

JONES DISCUSSED

In a further development, the Rockville School Board went into a lengthy executive session, closed to the public, at the end of their regular board meeting Thursday night, August 26.

After that executive session, the following statement was released by the board: "The Steve Jones situation was discussed in executive session and no personnel changes were made."

WITNESS ON TRIAL

It was revealed Friday that Detective Captain Daniel F. Eberle of the Lafayette Police Department will face a re-trial on charges of perjury and influencing a grand jury witness during a probe of corruption in Lafayette earlier this year.

Eberle was called by Norton's defense attorneys as one of two Lafayette police officers discrediting results of a lie detector test given Norton following the January 10 slaying of his family.

The prosecution had called Indiana State Police Sergeant John Danberry who gave the test to Norton. Danberry testified that the test indicated that Norton had lied. Eberle testified he had read the test results and said he didn't see enough reaction to show the subject was being deceptive. Another Lafayette police detective, Ronald Milks, said he also looked over the test and said that Norton was truthful in his response to the questions.

Eberle, a 14-year police veteran, was one of 54 persons indicted by a Tippecanoe Grand Jury. He was charged with threatening a fellow police detective, Robert D. Cooper, because Cooper cooperated with the grand jury investigation. The perjury charge resulted from Eberle's denial of such a threat under oath. Eberle's first trial ended when the jury failed to reach a verdict. He was then returned to fulltime police duty while Cooper, the state's key witness, resigned from the force.

Special prosecutors in the re-trial have asked that Eberle and Cooper be given a lie detector test by a special appointed polygraph examiner who would

testify at the next trial.
During Eberle's first trial he was represented by E. Kent Moore and Carl J. Sandy, the two attorneys who defended Norton.

Rockville Tribune 9-15-76

Norton Is Sentenced To Death

Crime and Criminals (Ind) Community Affairs File

BY RICHARD E. HARNEY
PUBLISHER

Donald K. Norton was sentenced to death Monday afternoon, September 13, for the murders of his wife Christine and four year old son Bret in Rockville on January 10. Norton was found guilty of murder for hire in the stabbing deaths of the two on August 23.

Judge Perry Shipman of Benton Circuit Court at Fowler told Norton, who was standing with his three attorneys, "I impose on you in each of the cases, the penalty of death and set the execution date for December 27, 1976, being not less than 100 days from this date."

Judge Shipman directed the sheriff of Benton County to take Norton into custody and deliver him to the Indiana State Prison at Michigan City. That is where sits the Indiana electric chair.

Before passing sentence, Judge Shipman revealed that the report from the Diagnostic Center at Plainfield, where Norton underwent pre-sentencing investigation, indicated that Norton "is an extremely self centered individual, bent on satisfying his own personal pleasures" and that he "has the ability to persuade people to be used for his pleasure seeking activities."

Shipman added that he personally felt that the murders were committed to satisfy Norton's pleasures, "so that no one would get in the way to block his pleasure." "Murder for hire", Shipman said, "is an extremely atrocious crime and this case is exceptionally atrocious in that it involved the young son of the perpetrator himself. It is impossible to imagine what that four year old could have done to deserve having his life taken."

Norton continued to present the same unemotional facade which marked his appearances throughout the 11-day trial last month. While the death sentence was delivered, he stood straight and looked at the judge with no outward sign of tension or concern. As he was led from the courtroom he turned and winked at members of his family in the spectator gallery.

The sentencing was to have begun at 1:30 p.m. but was one half hour late in starting.

In direct contrast to the 11 days of trial when the 100 spectator seats in the courtroom were all full and more people stood in the back of the courtroom, Monday's session was attended by only about 30 to 35 people, mostly from Fowler. Jack Brown, father and grandfather of the victims in the crime was present, as were six members of the Norton family, his father, uncles and his aunt, Dorothy Grimes, the only female family member in the room. Also at the session was William Robb, foreman of the jury that declared Norton guilty of two counts of murder in the first degree three weeks ago.

Security at the courthouse remained tight with 12 to 14 uniformed officers in the court-

room itself - state police, Fowler police officers and deputies from the sheriff departments of Benton, Tippecanoe and Warren counties. Metal detectors were again used to check spectators entering the room for possible hidden weapons.

Norton came into the courtroom in a cream colored suit, brown shirt and brown tie. His longish haircut and drooping mustache covered most of his face, but failed to hide the deep set eyes. He walked to the rail of the courtroom and motioned for his relatives to come and talk as he had done many times during the trial. However, Benton County Sheriff D.L. Steely turned Norton away and indicated that such visitation would not be allowed that day. Norton was then taken to a backroom of the court.

At the prosecution table was Parke County prosecutor Clelland Hanner, deputy prosecutor John Dowd and Benton County assistant prosecutor John Barce. Two new faces at the table were two representatives of the Indiana Attorney General's office, Sheldon Breskow and Walter Lockhart.

At the table for the defense sat Norton's attorneys, E. Kent Moore, Carl J. Sandy, both of Lafayette and their local counsel, Thomas McConnell of Fowler.

In an opening statement, Moore said the court was aware that the defense had earlier filed a motion to dismiss on the grounds that the death penalty was cruel and inhuman punishment. Moore said that since that time, the United States Supreme Court had issued a ruling on the death penalty for six states and that he felt the court was saying the penalty was not cruel and inhuman, but the fact that a death penalty could be mandatory was unconstitutional. (Indiana does have a mandatory death penalty written into its laws and one is murder for hire.)

Moore said other states had a double hearing program, one where the verdict is given and the other for sentencing. He added that the basic fact was that Norton had been convicted and they will appeal on the facts of the case and would also appeal on the constitutionality of the death penalty if that was the sentence Judge Shipman imposed.

Deputy Attorney General Breskow said this was the third court that representatives of the attorney general's office had appeared in during the past few months. Breskow stated that the court had the "inherent power" to conduct a hearing before sentencing, that the court itself could do it, and it doesn't have to wait for the legislature to set up the procedure. Breskow said the more serious question that afternoon was what penalty would be imposed if the death penalty was not given when the law calls for it to be mandatory. He suggested that the penalty could be reduced from death to life imprisonment.

Breskow said an important

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Vigo County Public Library

Community Affairs File

REFERENCE
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aspect of the Norton case was that the defendant was charged with killing for hire and premeditated murder under each of the two counts. He said the jury's verdict was consistent with either charge.

Judge Shipman commented that he felt the Louisiana death penalty law was similar to Indiana's and asked Breskow to comment on it. Breskow said the attorney general's office felt Texas was more similar, but said Louisiana has five crimes for which the death penalty is mandatory which is similar to the Hoosier law. He added that in Louisiana, the jury is instructed on possible verdicts of lesser crimes, even though the evidence is not presented to support a conviction of those lesser crimes. He added that under Indiana law, there is no attempt to conduct a second hearing before sentencing to review aggravating or mitigating circumstances.

Moore answered Breskow by saying that the constitutionality of the death penalty had been answered several ways by different judges in Indiana recently. He added that in the instructions to the jury, the judge did include the possibility of returning a verdict of a lesser crime than first degree, murder for hire. Those possibilities included second degree murder, voluntary and involuntary manslaughter.

Barce rose to say that the prosecution had presented the possibility of those lesser crimes to the jury only for the purpose of a guilty verdict in case the jury could not find Norton guilty of first degree murder.

Judge Shipman said the legislature sets the laws and the courts are bound to follow them. He added that presently 92 circuit court judges are also trying to follow the dictates of the United States Supreme Court. "We have not had the benefit of the legislature making new laws", Judge Shipman said, "so we must follow our own instincts."

The judge said that Indiana actually does have a two-part verdict system, saying that the jury finds the defendant guilty and the judge does the sentencing.

Shipman said "the pre-sentence report (on Norton) begs for the defense to present mitigating circumstances. The mandatory death penalty law is valid, but the attorneys can give mitigating circumstances if they so desire."

At this point, Barce said that the guilty verdict in the Norton case involved the deaths of two people, not one. That there was not a single crime, but two and it was murder for hire. "The legislature pronounced aggravating circumstances when it imposed a mandatory death penalty for murder for hire," Barce said.

Barce added that "The defendant has shown himself to

be a person bent on crime (referring to Norton's self-admitted intention to rob a high stakes poker game in Rockville). The ultimate use of the tools purchased to commit an unlawful action, were used for murder. He was plotting the murder of a third person (Woody) even before he arranged to commit the original two murders," Barce added, "I have tried to find saving grace in the defendant, but the time of presumed innocence is long past. This was an aggravating and heinous crime."

Moore objected to Barce's comments, saying that the attorneys were in court only to argue to the constitutionality of the death penalty as per the judge's order. He added that in this case, "the jury had only one choice, to return a mandatory death penalty if their verdict was guilty."

Barce then told the court, "It defies the imagination that the defense would not offer mitigating circumstances if there were any or if they ever intended to."

Barce then revealed that Norton had sent a letter to the court probation officer, but its contents were never revealed.

Moore said the defense was "confused as to what they were supposed to do." He said the court, in ruling on their original objection, said the death penalty could be pursued, but now indicated the court may feel otherwise. He said this was the first time Judge Shipman had given any indication that the death penalty may not be mandatory in the case.

Shipman told the courtroom that on July 14 he said the case could be tried under the death penalty law and had indicated then that mitigating circumstances could be brought forward at the sentencing session. "We are here for sentencing," the judge said, "and normal procedure will be followed."

Moore said the defense would not argue mitigating circumstances, but did not waive the right to do so later. "We should not have to participate", Moore said, "in something we did not know was going to happen. We came in to argue the constitutionality question, not anything about mitigating circumstances."

Shipman then asked if both attorneys had received the report of the probation officer and reminded them that it was, by law, completely confidential.

The judge asked Norton if he had any statement to make before sentence was passed. "No sir" was the reply.

Judge Shipman said the mitigating circumstances in the case had been considered by the court in the probation officer's report which said Norton had no prior convictions of any crime and had not been arrested before. "The aggravating circumstances," Shipman said, "were considered by the jury itself and they found him guilty of murder for hire."

The judge said it is sometimes understandable, although not to be condoned, that a man could murder his wife. But he said the murder of the four year old son

was "exceptionally atrocious."

Sheriff Steeley took Norton, in handcuffs, from the courthouse, through the basement, to a waiting sheriff's patrol car and then to his cell in the jail directly across the street. Steeley would not say when Norton would be taken to Michigan City, for security reasons, but said "It will not be today or tomorrow."

According to Deputy Warden Jack Duckworth, Norton will join six other inmates on the infamous death row at the Indiana State Prison, although Duckworth said they refer to it as "X" row.

Norton will go through normal procedures of fingerprinting, photo taking, clothing issue and then join the other six, separated under absolute security from the rest of the prison inmates.

On death row at this time are:
-William J. Gaddis, convicted of robbing a Crawfordsville grocery store and then shooting a policeman in the face. The charges against him include armed robbery, felony murder and murder of a police officer. He was given a life sentence, a death sentence and a ten to 20 year sentence. Gaddis was also defended by Moore and Kent, Norton's attorneys.

-Charles E. Martin, Anderson, and Lester French, Lebanon, both sentenced to die for the kidnap, rape, robbery and murder of a 19-year-old Gaston woman.

-Ralph Murphy, Kokomo, convicted of shooting to death a mother and her eight year old son and then burying the bodies in a Kokomo field.

-William Lamar, a self pro-

THE ROCKVILLE TRIBUNE, WEDNESDAY, SEPTEMBER 15, 1976

fessed minister, convicted of murdering a 31 year old Dale, Indiana, woman on a Christmas Eve by shooting her in the back.

-Orlando Fair, Indianapolis, convicted of the contract killing of two men in a South Bend drug treatment center.

Norton's, and the fate of the six others on death row, ultimately rests with the United States Supreme Court. If Indiana's law is ruled on by the nation's high court and held to be constitutional, those men will probably die. If not, their sentences will be commuted to life imprisonment.

The last man to die in Indiana's electric chair was Richard Kiefer, just after midnight on May 15, 1951 - 25 years ago. His crime was murder and his life was snuffed out by 28,000 volts of electricity which surged through his body for two minutes.

The cells on death row are deep within the state prison and lie

behind six electrically operated doors and a bewildering maze of corridors. The residents of the row are allowed out of their cells four hours each day, two in the morning and two in the afternoon. Even then they participate in none of the prison programs or activities, but they are allowed to mingle with one another in front of their cells in a corridor which passes as a recreation area, containing a ping pong table and a couple of games. They can receive only carefully screened visitors under tightly controlled circumstances.

In the cells of death row is a wooden bunk, a wooden table, sink and toilet and cabinet.

The electric chair which awaits these men is down green corridors and across the courtyard, past the church, and then in another building. It was built in pre-Civil War days from wood salvaged from an old gallows.

It waits, but whether it will ever be used again in Indiana lies with the justices of our nation's highest court.

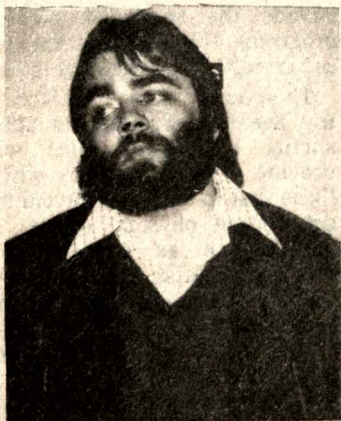
Crime & Criminals (Ind.)
Norton: What Kind Of Man?
Rockville Tribune 9-22-76 Community Affairs File

BY RICHARD E. HARNEY
PUBLISHER

He was born Donald K. Norton, but someone in the eighth grade at Lebanon tacked the nickname "Chet" on him and it stuck.

Norton is still being held at the Benton County Jail at Fowler. Sheriff D.L. Steely said he was ordered to hold Norton for two weeks and that he would deliver the prisoner to the Indiana State Prison at Michigan City sometime after next Monday. He declined to give an exact date for "security reasons."

Last month, in one of Indiana's most bizarre murder cases, the prosecution asked a Benton County jury to believe that this man took his pretty 26-year-old wife and pert four-year-old son to Cinton for dinner and sat across from them calmly eating, knowing that in a matter of hours they would be stabbed to their deaths. The jury did believe that and as a result, Norton is sentenced to die in the electric chair at the Indiana State Prison two days after Christmas.



NORTON - AT ARREST

school, Norton entered Indiana State University at Terre Haute, but dropped out two years later because of a low grade average. But while at ISU he met a girl named Christine Brown from Parke County who was studying to be a school teacher. They were married in October of 1968. Christine graduated and did become a teacher. On October 29, 1971 a son was born and they named him Bret.

In quoting from interviews with Norton at the diagnostic center at Plainfield where he went for pre-sentencing investigation, Judge Perry Shipman said reports showed Norton was "an extremely self-centered individual... bent on satisfying his own personal pleasure." The report also showed he had the "ability to persuade people to be used for his pleasure seeking activities."

More than 40 witnesses called by the prosecution during the trial verified the truth of those statements. They portrayed Norton as a man who drove around a two-state area in a late model brown Corvette. As a man who spent considerable amount of time drinking, gambling, cheating on his wife, and associating with the roughest type of people. They also said he planned robberies, was unconcerned about breaking the law... and had his wife and only son murdered so he could collect \$604,000 worth of insurance.

Ben Woody, self-confessed murderer of the wife and son, testified for eight hours and said he had indeed been the victim of Norton's ability to persuade others. Woody said Norton got him to murder the two in an elaborate plot, carried out in the early morning hours of January 10.



NORTON - AT TRIAL

What kind of a man is Chet Norton? The one word used most often to describe him on the day of the murders, during his confinement at various jails about the state, during the 11 day trial and even at the time of sentencing itself, was "emotionless." Webster defines that word as "without feeling" and most of those who have watched the man during the past eight months believe that is an adequate description.

He was born February 6, 1949 at Crawfordsville and graduated from high school there in 1967. He appears to have had a better than average childhood. His family, which has stood by him throughout his fight for life, is well dressed, sharp, and articulate. His father is vice president of a manufacturing firm.

After graduation from high

Community Affairs File
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over

When asked if he had ever read "Helter Skelter", Norton denied it. But there were many at the trial who had read the book and didn't believe him. It is the story of Charles Manson and the Tate-LaBianca murders.

Manson used a technique of suggestion and withdrawal in persuading his followers to commit crimes and murders. He would suggest a crime and make it sound right with some type of justification. But if there was resistance, he withdrew the suggestion, only to go through the process again and again. Later, Manson would again propose the act, telling the second party that it was a foregone conclusion, that he had agreed to do it somewhere along the line.

That had a familiar ring to anyone listening to Woody's story. Norton approached him and told him Bret had leukemia (which he didn't) and that if he died, the young wife might do something drastic, like commit suicide. Norton told Woody, "You're my friend, put them out of their misery." Woody said no, and Norton told him he didn't really mean it, but just wanted to see if Woody would do it.

Two or three months passed and on their way to Springfield, Norton again asked Woody to end his son's life since he was going to die of leukemia anyway. "It has to be done" Norton said. Woody again refused, and then Norton offered him half the insurance (except he said it was \$104,000 instead of the actual \$604,000). Woody again refused and Norton then began a series of

subtle threat, telling Woody that he wouldn't want anything to happen to his own wife and sons.

Then suddenly, on the Thursday before the murders, Norton picked up Woody and they went to Terre Haute to rent a car. The murder plot was being enacted, even though Woody still had not said he would do it.

By this time, Woody was convinced that Norton would have him killed if he didn't go through with it. Apparently Norton was able to convince many people that he was connected with the Mafia. He had read many books on the subject as well, those on other organized crime. But he was mysterious about it, like the time he picked up an envelope at Springfield containing a \$143 check. He told Woody the one meant the first month, the four the fourth day and the three stood for three o'clock. He then ripped up the check and threw it out the window.

Woody believed he would be killed, and indeed Steve Jones testified that Norton had used the same technique to get him to kill Woody. Instead of falling in with Norton, Jones became an informant for the police.

"Bent on his own personal pleasure", the report said.

Parke County residents say that Norton was seldom home. He spent much of his time in Montezuma at the taverns, drinking beer and schnapps and playing cards. Other times he was at The Body Shop in Terre Haute, which before it burned down, was a hang-out for a motorcycle gang called "The Diablos." He also drank and pleased in Springfield and Lincoln, Illinois. Once he left his wife and son stranded in Davenport, Iowa without food or money while he went to Florida for several days. Her father brought them back to Parke County so they could eat.

Woody said Norton was going to build a night club with the insurance money between Montezuma and Rockville. This would apparently be Norton's base of operation and Woody referred to those Norton would hire as the "family." It would have been the type of thing Chet Norton would be good at.

Norton was a womanizer and had girls in various places over a several county area. He frequently stayed at hotels and motels in Terre Haute, just 25 miles from his own home in Rockville. He never used his correct address when registering, but rather used a post office box in Springfield.

His special girl was Dixie Custer, a radiologist technologist at a Springfield hospital. She had met Norton three years ago and he carried a key to her trailer. In September of 1975 she paid Norton \$5,700 for his Corvette, but didn't get possession of it until January of this year, after Norton's arrest.

Dixie tried to prove Norton's innocence by describing an argument she said she heard between Norton and Woody in which Norton tried to talk Woody out of committing a robbery. She denied having nude photos taken of her and Norton making love in bed, photos which Woody said Norton had showed him in Springfield. Dixie also accompanied Norton to a motel in Iowa just two days after his wife

(Continued On Page Three)

X Norton

(Continued From Page One)

and son were buried. Norton testified that when he went out with other women, he told his wife he was going hunting, but instead apparently spent those afternoons at Dixie's in Springfield.

Norton also admitted under questioning that in 1973 he had an apartment in his name at Springfield. But it was occupied by Dixie Custer.

According to testimony at the trial, Norton, Woody and a man named Mike McConnel planned the robbery of a high stakes poker game at a private residence in Rockville. Norton was a frequent visitor to that game and other private poker parties around the county seat. In Norton's Corvette the three went to Terre Haute and purchased equipment for the robbery, with Norton providing the money. Many of those items purchased that day would be used in the murders of Christine and Bret Norton. A long bladed hunting knife, which Norton said was to be used to cut telephone wires, found itself instead into Christine's and Bret's bodies, ending their lives.

Norton said the robbery was called off because he felt "it was foolish." However there is a theory that instead of having second thoughts as he said, the robbery was aborted when those in the game were tipped off and the game was cancelled.

One of the items purchased was a sawed-off shotgun, bought for \$25 at the Body Shop. Asked by the prosecution what the shotgun was for, Norton calmly replied "To induce them to give us the money. You don't just tell someone to give you money, you have to have a weapon." But the shotgun was apparently not to be Norton's weapon. He was going to use a baseball bat, also bought in Terre Haute as part of the robbery equipment.

Norton had a fascination with guns and had several at his home in January. He owned three pistols, a rifle and a shotgun. He testified that he had "rented" a pistol in Evansville for the robbery and at another time bought a pistol for \$20 from "some guy in Illinois", which he thought could well be "hot."

Norton also carried a pistol frequently and usually had a ballbat in his car. He carried a hunting knife, the mate to the murder weapon, on his belt at various times.

Norton apparently had a careless disregard for the law. He testified that he went hunting out of season and that even though he had sold his Corvette to Dixie Custer, he never had the registration or license plates changed. Saying that he took Woody to rent a car to smuggle dope, instead of as Woody said, to get the murder get-away car, Norton seemed unconcerned about helping a dope dealer. He admitted he had smoked marijuana on several occasions and taken other drugs.

There seemed little time in Norton's life for work. Usually he worked as a salesman, twice for a firm called Regal Products out of Iowa and once for Prudential Insurance Company. As a salesman, his time was his own and apparently he spent little time in productive work. His boss at the Terre Haute Prudential office said he fired Norton because of frequent absences from the job.

The prosecution intimated that Norton took much of the money Christine earned as a third grade teacher at Montezuma. Norton was asked if on the night of the murders he and Christine had not argued about money over dinner at Clinton. The money from the paycheck she cashed the day of her death was never found, although Norton said she put it in her purse and it later disappeared.

Defense attorneys told the jury that Chet Norton was "immature, a fact he now admits." They said the trial was not a popularity contest and that although Norton may not be the type they would want for a son or son-in-law, that didn't mean he was capable of murder.

But although Norton's lifestyle brings easy criticism, most of those connected with the trial could not believe one inescapable impression - that Norton was seemingly devoid of emotion.

Investigators at the scene of the murder said he showed little of the emotion one would suppose a man would have if he came home and found his wife and son stabbed to death in bloodsoaked beds. A photograph, taken accidentally by a State Police technician, showed Norton sitting calmly at a table with Detective Lloyd Heck. Heck testified that Norton "displayed no emotion, considering what we were talking about and what was in the other room" (the bodies of the victims.) Heck said Norton spoke in a normal voice and wasn't crying that night, but instead rattled off with precise memory every place he had been and exactly what he did.

During the trial, Norton sat at the defense table with his three attorneys, directly in front of reporters. He spent the days making notes, looking over sworn statements and frequently whispering to his attorneys. As witness after witness testified to his guilt, he showed neither anger, disbelief or concern.

When he took the stand he was argumentative with the prosecutors and once argued with Judge Shipman when told he must answer a question. He did have tears in his eyes and his voice broke when he described going into his son's room that night and finding him dead. But at the next question, when the subject changed, he spoke immediately in his normal voice. He had no difficulty in controlling his voice when he described

finding his dead wife. He showed no emotions when he looked at photos of the two although Jack Brown cried when he saw the same pictures.

When the dozens of bloodied articles from the Norton bedrooms were displayed to the jury, Norton turned his face to the wall. But even then, his face did not give away any inner feelings. When the court recessed and Norton came back after lunch, the bloodied items were still piled on the floor. He did not particularly try to avoid looking at them until court was in session and the evidence presentation continued. Then he again looked away.

He cried during his mother's testimony as she sobbed and had trouble telling her story. Many guessed that if the tears were

legitimate, they were because his mother was crying, not for the story she was telling.

But the most unbelievable act came on the last day, the day of sentencing. Norton had just been told that he was to die in the electric chair on December 27, that he was guilty of murder and his life was to be ended for "an atrocious crime." As he was led from the courtroom, he turned and winked at members of his family.

Perhaps it was as prosecutor Clelland Hanner said during his summation to the jury, when he turned, pointed an accusing finger at Norton and said "If ever there was a man who had ice water in his veins, he does!"

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Community Affairs File

Norton Read Book On Way To Prison

Crime + Criminals (Jnd)
Rockville Republican 10-4-76

Donald "Chet" Norton was taken to the Indiana State Prison at Michigan City about 11 a.m. Tuesday, September 28, to be confined on death row under a sentence of death in the murder for hire of his wife and son in Rockville on January 10.

A spokesman for the Benton County Sheriff's Department said Norton read a book in the backseat of the patrol car while enroute to prison. The title of the book was not disclosed.

The spokesman said Norton spoke very little during the trip. When they were not too far outside of Fowler, Norton asked "Are we about there?" He asked the same question just before they arrived at the state prison.

Norton was transported in a convoy of two sheriff department squad cars. He was in the back of one, handcuffed. The other was added as an escort car, "for security reasons."

Sheriff authorities of Benton County said they were amazed at Norton's outward calm, during the time he was in their jail at Fowler and during his trial. A matron at the jail said Norton "looks right through you."

Norton is sentenced to die in the electric chair at the state prison two days after Christmas. Judge Perry Shipman passed that sentence on September 13. The sentencing followed an 11-day jury trial, at the end of which Norton was found guilty of two counts each of first degree, murder for hire. In Indiana, conviction of that crime is mandatory death, in the electric chair.

Norton was held in the Fowler lockup for two weeks after sentencing. Although never explained, it was theorized that he was held in order to confer with his attorneys, a Lafayette firm, in preparing for his appeal before a higher court to overturn the conviction.

Norton is now confined with six other prisoners on death row, or "X-row" as it is called at the prison. He is kept alone in his own cell in a cellblock entered only through a maze of electronically operated doors isolating the seven prisoners from the rest of the facility. He is let out of his cell for four hours each day, two in the morning and two in the afternoon.

Stage set for Norton appeal

A hearing is set for Dec. 6 before Judge R. Perry Shipman in Benton Circuit Court at Fowler on a motion to correct errors in the murder trial of Donald "Chet" Norton.

Norton, 27, Rockville, was sentenced to die in the electric chair on Dec. 27 after a jury found him guilty of two counts of first degree murder-for-hire on the slayings of his wife, Christine, 26, and 4-year-old son, Brett.

The motion, filed by Norton's attorneys, E. Kent Moore and Carl Sandy, both of Lafayette, is a routine legal action necessary to set a foundation for an appeal.

Norton is expected to appeal his conviction on grounds that the Indiana statute calling for a death penalty is unconstitutional according to recent Supreme Court rulings.

In other news involving Norton's case, Prudential Insurance recently announce proceeds from the insurance policies on Christine and Brett Norton will be paid to the U.S. District Court in the Southern District of Indiana.

Prudential Terre Haute Office Manager Ross Lock said the firm decided "a murder cannot benefit from a wrongful act," and therefore Norton, named as lone beneficiary, could not collect \$604,000 in insurance money.

After Prudential files the action in U.S. Circuit Court, administrators of the two estates must file a cross claim for the money. Jack Brown, father of Christine, has been named administrator of her estate. Covington attorney Jim Bunch has been named administrator of Brett's estate.

One of four judges assigned to the court will hear evidence and decide who gets the money.

Difficulty in deciding the case rests on the legal question of who died first.

If it is determined that Christine died first, the \$554,000 on her life would go to her estate and pass to her son, Brett, as her only survivor. That \$554,000 plus the \$50,000 on Brett's life would go to his estate when he died and could go to both sets of grandparents as his survivors, the Browns and Nortons.

However, if the court finds Brett died first, the \$50,000 policy would go to his estate and momentarily pass to his mother. The \$604,000 total would pass on to Mrs. Norton's heirs after her death, probably her parents, the Browns.

Although Mrs. Norton was stabbed first, according to Norton's hired killer, Benjamin Woody, 27, Montezuma, the possibility remains that she was not quite dead when Woody left her bedroom.

Woody said he ran to the boy's room and began stabbing him. Doctors testified at the trial that one stab wound, which went through the boy's chest and exited out his back, was probably fatal. The boy could have died before his mother.

However, Norton testified that when he found the bodies in the bedrooms of his Rockville home early Jan. 10, the boy was still warm but Christine was cold. This contradicts the idea Brett was dead first.

Woody, found guilty of second degree murder in the Nortons' deaths, was sentenced to life imprisonment, with the presiding Blackford Circuit Court judge recommending no parole.

Norton was an insurance agent for Prudential when he purchased six policies on his family. The policies were regarded as the motive for the slayings.

One policy was on Mrs. Norton, a \$150,000 life policy with an additional \$300,000 for accidental death. Another was a \$150,000

Completed on Page 8
Column 2

MORE ABOUT

Norton appeal

(Concluded from Page 1)

policy on Norton with a \$104,000 benefit on Christine. There was also a \$10,000 policy and a \$40,000 policy on Brett. Two other policies were on Norton.

Norton wrote the insurance while he was a salesman from December, 1974 to October, 1975. The last policy was written on Sept. 8, 1975, one month before Norton left the insurance company.

Lock explained the monthly premium on the policies was \$239, "above average for an agent to have."

The policy on Brett would have a cash value of about \$15,000 when the boy turned 18. Norton testified that it was an investment for his son's college education.

According to Lock, the additional accidental death benefit clause on the policies costs very little.

Lock also testified at the trial by purchasing insurance, Norton was contributing to his sales quota, therefore, increasing his income. The company works on an insurance agent quota and commission system. By counting the commission he was paid, Norton actually purchased the insurance at about half price.

The insurance money has been earning interest at the rate of six per cent since the discovery of the murders, Jan. 10.

MORE ABOUT

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Norton Insurance Money Decision Left to Court

NOV 20 1978

The insurance firm which held policies amounting to \$604,000 plus interest on the twin victims of a brutal murder Jan. 10 at Rockville reports they will deposit the amount with the U.S. District Court for the Southern District of Indiana who

will be asked to determine the proper beneficiaries.

During a press conference Friday, Ross Lock, manager of the district office, Prudential Insurance Company of America, indicated that the company's investigation of the matter indicated that the monies could not be paid Donald K. Norton, the husband and father of the victims. Norton is sentenced to die Dec. 27 for his part in a murder plot which saw Norton allegedly hiring another man to commit the murders.

"With the indictment of Norton, the husband of Christine Norton and the father of Brett Norton, for these murders — Prudential's investigation determined that there is no evidence on which it can be concluded that the policies were purchased with the intent to defraud, but since a murderer can not benefit from his wrongful act, and in view of Norton's conviction, he may be disqualified as the beneficiary," the statement added.

Other members of the Christine and Brett Norton families would be entitled to the insurance monies, Lock continued. Attorney Murl Wilkinson, who represents the local office, indicated that the court action has not yet been filed, but will be shortly.

Wilkinson estimated that it will be at least a year before final disposition of the matter is resolved.

Benjamin Paul Woody, who admitted that he fatally stabbed the young mother and her son, was sentenced to life in prison for his part in the slayings. Woody testified in court that he was promised more than \$50,000 of the insurance monies by Norton to kill the Parke County pair.

Norton, at one time, represented the insurance firm as a salesman, and contracted for the policies at that time. Appeals of the Norton death sentence are being prepared by counsel.

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REFERENCE
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Jury Says Norton Guilty of Murder

T AUG 24 1976

FOWLER, Ind. (Special) — The Norton murder trial ended Monday evening with the first degree murder conviction of Donald K. Norton in the stabbing deaths of his wife Christine and the couple's four-year-old son Brett at the hands of a hired killer.

A Benton Circuit Court jury of six men and six women returned the guilty verdict against the 27-year-old Rockville man at 9:40 p.m., climaxing a two-week trial that saw a man testify Norton hired him to perform the murders.

Judge R. Perry Shipman did not set a date for sentencing, although prosecutors said they would seek the death penalty.

The bodies of Norton's 26-year-old wife and their son were found in their Parke County home last Jan. 10.

Benjamin P. Woody, 27, testified during the trial that he committed the murders at Norton's request in exchange for assurances that Norton would share with him part of the \$604,000 in life insurance on Mrs. Norton and her son.

Woody, whose own first-degree murder trial is scheduled to begin next month, told the court how Norton instructed him to enter his home in the middle of the night and stab the sleeping victims.

On the witness stand last week, Norton denied those charges, a denial repeated

by defense lawyers during final arguments Monday.

Defense attorneys Carl J. Sandy and E. Kent Moore of Lafayette maintained that Woody was a "very sick man" who implicated Norton because he was unable to accept sole responsibility for the crimes.

Moore contended that Norton's close relationship with his son would have prevented him from planning the murders and pointed to the fact that Norton discovered and reported the bodies in January.

"How could you bring yourself to face that — particularly the sight of the little boy?" Moore asked the jury. "I don't think anyone could."

Parke County Prosecutor Cleland Hanner disagreed.

"If a man ever had ice water in his veins, there's one," he told the jury, pointing to Norton. He noted that Norton had a girlfriend during three years of his marriage and spent considerable time away from his family at taverns and motels.

Hanner also dwelled on the insurance money as a motive, while Sandy and Moore attempted to depict it as an indication of the family's future security.

The trial was held in Benton County after a change of venue from Parke County was granted.

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Community Affairs File

THE TRIBUNE, TERRE HAUTE, IND.

WEDNESDAY, DEC. 8, 1976 35

Norton Granted Stay of Yule Execution

FOWLER, Ind. — Donald 'Chet' Norton has a new lease on life.

Scheduled to be executed Dec. 27 for his part in the murder-for-hire slaying of his wife and son, Benton Circuit Court Judge Perry Shipman ruled that an appeal to the state high court was reason enough to delay the execution.

Norton, 27, Rockville, was convicted of hiring a Montezuma man, Benjamin

Paul Woody, to kill his wife, Christine, and the couple's 4-year-old son, Brett, for \$604,000 worth of insurance. Woody testified that he was promised \$50,000 to carry out the plot.

Woody was subsequently sentenced to a life term after he pleaded guilty to two charges of second degree murder. He is serving his sentence at Michigan City.

Woody testified in court that he and Norton hatched the double slaying and that Norton furnished him the knives and a key to the Norton house. Woody murdered the young woman and her son Jan. 10 by stabbing them as they slept in their Rockville home.

A federal court will decide who should get the insurance money. Norton was eliminated from a beneficial role, the firm maintained, by contracting the murders.

Norton's attorneys say an appeal of the death penalty will be carried to the Indiana Supreme Court.

Community Affairs File

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REFERENCE
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Norton Gets Execution Stay

Crime + Criminals (Ind.)

8 DEC 8 1976

FOWLER, Ind. (Special) — The Dec. 27 execution date of Donald R. "Chet" Norton has been stayed indefinitely until the Rockville man's attorneys prepare an appeal to the Indiana Supreme Court.

Benton Circuit Court Judge Perry Shipman ruled Monday, three weeks before Norton was to go to the gas chamber for allegedly hiring the killing of his wife and child, that the appeal to the state high court would be reason to delay the execution.

Shipman also ruled on a motion to correct errors in Norton's trial, moved here on a change of venue from Parke County. The Benton County judge overruled defense attorneys motion, stating the errors to correction motion was insufficiently grounded. The motion, along with the attorneys' argument that the death penalty is unconstitutional, laid the path for appeal to the Indiana Supreme Court of the case.

Norton was accused of having hired a Montezuma man, Benjamin Paul Woody, to kill Christine and Bret Norton for some \$604,000 in insurance. Norton was convicted of first degree murder in this court in August.

Woody testified at the Norton trial that he was hired to kill Norton's wife and son for a portion of the insurance. Woody pleaded guilty in Blackford Circuit Court in Hartford City to two charges of second degree murder and is now serving a life term in Indiana's State Prison at Michigan City.

Norton, residing at the prison's death row set of cells, told authorities he found his wife and son stabbed to death at their Rockville home when he returned home early the morning of Jan. 10. Authorities said they received a confession from Woody concerning the murders when

Woody became afraid Norton planned to commit violence against him.

Attorneys for Norton, Kent Moore and Carl Sandy of Lafayette, Ind., presented a 103-page legal brief outlining their arguments to Judge Shipman.

Parke County Prosecutor Clelland Hanner, who handled both cases against the convicted murderers, told The Star Tuesday he has not yet received a report of the Monday order from the judge nor a copy of the defense brief.

The insurance money, handled by Prudential Insurance Co., has been handed over to U.S. District Court in Terre Haute for handling. The insurance carrier said it could find no evidence of fraud and that Norton, convicted of hiring the murder, could not be the beneficiary. The court now will decide who is to get the money.

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Community Affairs File

Court to decide Norton beneficiary

Crimes & Criminals, Ind.
Daily Clintonian 11-19-76
Convicted murderer Donald Keith "Chet" Norton, lone named beneficiary of \$604,000 in insurance policies on his slain wife and son, will not reap the benefits of those policies, Prudential Insurance Company, policy holder, announced today.

Prudential reached that conclusion after an "extensive investigation to determine whether or not policies were purchased with intent to defraud the company, Prudential Terre Haute Office Manager Ross Lock said today.

Results of that study revealed "no evidence from which it could be concluded the policies were purchased with intent to defraud." Lock announced at 2 p.m. today.

The firm decided "since a murderer cannot benefit from a wrongful act," Norton's claim to the funds may be discounted.

Instead, proceeds from the policies will be paid to U.S. District Court in the Southern District of Indiana by Prudential. The court will then decide which

member of Christine's family, rightful beneficiaries of the benefits, according to the firm, will be paid the proceeds.

Norton is sentenced to die in the electric chair Dec. 27 for his role in the deaths of his wife, Christine, 26, and son, Brett, four.

Norton, a Prudential life insurance agent when he purchased insurance policies on his wife and son, resigned the post before his family was found slain in the Norton's Rockville home, Jan. 10.

Norton was found guilty of murder for hire by a Benton County jury in August. The jury heard testimony which convinced them Norton had hired Benjamin Paul Woody, 28, Montezuma, to kill the Norton child and Mrs. Norton.

Woody pleaded guilty to two second degree murder charges in Blackford Circuit Court last month. He was sentenced by Blackford Circuit Court Judge Bruce Bade to life imprisonment with no parole recommended.

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REFERENCE
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Court To Settle

S DEC 9 1976

Norton Insurance

Crime & Criminals (Ind)

An interpleader was filed Thursday in the Terre Haute Division of the U.S. District Court by the Prudential Life Insurance Company of America so that the court will now decide who is to get insurance monies in connection with the murder of Christine Norton and her son, Bret.

The execution date of Donald R. "Chet" Norton set for Dec. 27 has been stayed indefinitely until the Rockville man's attorneys prepare an appeal to the Indiana Supreme Court.

The insurance claims totaled \$637,559.90. The carrier said Norton, convicted of the murder, could not be the beneficiary. The plaintiff has asked the court to settle the matter and discharge the plaintiff from all further liability.

Community Affairs File

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REFERENCE
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Brand Times 11-20-76
Crimes & Criminals, Ind.
**Court may dole
Nortons' insurance**

TERRE HAUTE, Ind. (UPI) — A federal court will be asked to determine who gets over \$600,000 proceeds from insurance policies for a Rockville woman and her son who were killed in an alleged "murder-for-hire" scheme last January.

A spokesman for the Prudential Insurance Co. said an action would be filed in U.S. District Court for southern Indiana at Terre Haute.

Ross Lock said the payment for the policies for Christine and Brett Norton normally would be made to the listed beneficiary, Donald Norton, 27, Rockville, but he was convicted Sept. 13 of two counts of firstdegree murder in the case.

Mrs. Norton and the boy were killed last January.

Testimony during Norton's murder trial in Benton County reported the murders were planned so Norton could collect the insurance.

However, Lock explained that the Prudential investigators could find "no evidence of an attempt to defraud" the company of the proceeds from the policies.

Norton has been sentenced to die in the Indiana State Prison electric chair, Dec. 27.

Lock explained at a news conference Friday that other than Norton, other possible recipients of the money — totaling \$604,000 — included Mrs. Norton's relatives or the grandparents of Brett.

Community Affairs File

Vigo County Public Library

REFERENCE
DO NOT CIRCULATE

Norton death date postponed

Crimes & Criminals, Ind.
Daily Clintonian 12-8-76
Donald R. "Chet" Norton's Dec. 27 execution date has been stayed indefinitely by ruling of Benton Circuit Court Judge Perry Shipman.

Judge Shipman ruled Monday that because the Rockville man's attorneys, Kent Moore and Carl Sandy, Lafayette, are preparing an appeal to the Indiana Supreme Court, the execution should be delayed.

Norton was to go to the gas chamber for hiring Benjamin Paul Woody, 27, Montezuma, to kill his wife, Christine, 26, and four-year-old son, Brett last January.

The Benton County judge also denied a motion to correct errors in the trial, allowing no new trial date and no change in the death penalty sentence.

"I found no substantial errors in the trial nor any substantial errors in the death penalty ruling," Judge Shipman told The Daily Clintonian today.

He reviewed a 103-page brief submitted by Norton's attorneys outlining their arguments. Judge Shipman reported the major portion of the brief concerned the constitutionality of the death penalty in Indiana.

Other arguments centered around proposed errors during the trial, such as rulings on omission of evidence, whether a full continuance should have been granted to take Woody's deposition and denial of defense counsel's repeated requests for a mistrial.

Shipman studied the motion to correct errors prior to Monday when a hearing was scheduled with the defendant's attorneys. Norton's lawyers cancelled the hearing, and Judge Shipman reviewed the material again,

deciding there were no reasons to warrant the motion.

Norton's attorneys have 30 days from Monday to file a request with Judge Shipman for a record of the trial. An additional 60 days are allowed for the lawyers to file the record with the Indiana Supreme Court.

Norton could remain on death row in Indiana State Prison, Michigan City, for an extended period of time. After the record is filed with the Supreme Court, his lawyers will be given time to file briefs and can be granted continuances by the high court if they request more time.

Eventually, the Supreme Court will have to schedule the appeal which could take an additional month or more.

If the Supreme Court finds an error has occurred in the trial, the trial court will be ordered to follow its advice to correct the error.

Parke County Prosecutor Clelland Hanner who handled both cases against Woody and Norton, was unavailable for comment on the order today.

Insurance money on Christine and Brett, amounting to \$604,000, will be handed over to the U.S. District Court, Terre Haute by Prudential Insurance Co.

Prudential ruled Norton could not be the beneficiary and asked the court to decide who will be given the money.

As of Wednesday, no claim for the money had been filed in the district court.

Insurance money was regarded as the motive for the slaying of the two Nortons. Woody fatally stabbed the pair at Norton's request.

Community Affairs File

Vigo County Public Library

REFERENCE
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Woody Trial Opens In Area Court

By HOWARD STEVENS
BL Tribune State Editor

ROCKVILLE, Ind. — It's one down and one to go for Parke County Prosecutor Clelland Hanner.

On Wednesday, Hanner will turn his attention to the second man charged in the brutal slaying of a young Rockville school teacher and her four year old son — Benjamin Paul Woody, 27, Montezuma. Woody has testified that he killed the pair Jan. 10 after Donald 'Chet' Norton promised to pay him part of \$600,000 insurance he

carried on his wife and son.

Norton, 26, a one-time insurance salesman, was sentenced to death by Benton Circuit Court Judge Perry Shipman. Norton is scheduled to die in the electric chair two days after Christmas for his part in the murder-for-hire stabbings of his wife, Christine Ann Norton, and his son, Brett.

"I expect a lot of last minute motions to be filed in the Woody case. This case shouldn't last as long — three weeks — as the Norton case, but you never really know," Hanner says.

Woody, who has been examined by two psychiatrists during the last 10 days, is expected to plead temporary insanity through his attorney, Donald Gibson. Veedersburg. Gibson is also expected to challenge the state's death penalty provisions.

Woody, who draws a disability pension for wounds suffered in Vietnam, was the state's star witness against Norton, but Hanner says he has offered the defendant no deals.

"I can't figure out how any man could enter a house and stab a mother and her child. It proves one thing at least — there are those who will do anything for money."

Hanner also revealed that Norton once wrote a letter to the court proclaiming his innocence.

"It didn't work. He should have spared himself the time," Hanner noted.

Hanner, who is convinced the death penalty is a deterrent, says he feels Rockville residents are satisfied with the Norton verdict. However, he suggests they will be very unhappy if the verdict is set aside or overruled.

If Hanner and associate state attorneys are successful in gaining a first degree murder conviction against Woody, the defendant would join Norton on Death Row at Michigan City. Already, eight men, including Norton, await constitutional rulings on the death penalty.

The last man to die in the electric chair in Indiana was Richard Kiefer who was strapped into the chair, May 15, 1951.

Testimony in the Woody case will be presented in Blackford County Circuit Court at Hartford City, Ind.

Community Affairs File

REFERENCE
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Montezuma Man Held in Rockville Stabbing Deaths

JAN 19 1978

By Jack HUGHES
Tribune Staff Writer

ROCKVILLE, Ind. (Special) — Saturday night's arrest of a suspect in the deaths of a young Rockville mother and her small son didn't end the investigation which continued Monday according to reports from agencies cooperating in the inquiry.

"We're still investigating," was the short report from one source while Benjamin Paul Woody, 27, Montezuma, awaited results of a grand jury call announced after his arrest by Indiana State Police.

An ISP officer credited "beautiful cooperation" among investigating agencies for movement in the case which began Jan. 10 with the discovery of the bodies of Mrs. Donald (Christine) Norton and four-year-old Brett Norton by the husband and father about 4 a.m., according to reports which stated that he had been playing cards with friends in Montezuma during the night after taking his family to dinner the Friday evening before, leaving alone about 8:30 p.m. after he returned them home.

Both victims died from multiple stab wounds to the heart and lungs, according to the coroner's report. Slashing cuts as well as stab wounds were described by several investigators who termed the double slaying as brutal, vicious and "... the worst act of violence I've seen."

The arrest late Saturday came just hours after Parke County Prosecutor Clelland Hanner was quoted as saying, "We are at a stone wall. Officers are working feverishly, but there is nothing new to report." Earlier unofficial reports had described the case as baffling, "... a real whodunit" and a senseless crime.

There had been little new reported officially for several days prior to the announcement of an arrest and the prosecutor's report that a grand jury call had been ordered. Investigators from the ISP, Rockville city police and Parke County Sheriff Gary Cooper's office reportedly were ordered not to release anything. One result was that after Woody's arrest, some reports were circulating that had been discredited a week before.

Detective Sgt. Loyd Heck of the Terre Haute post (ISP Dist. 32) headed up the ISP investigation with Det. Jerry Stateler from the outset of the case. Heck and Troopers Dan Clevinger and Dennis Eslinger reportedly made the arrest shortly before midnight Saturday.

Woody was lodged in the Parke County Jail following an appearance Sunday before a special session of the court which set bond at \$500,000 on the two preliminary counts of first degree murder. The grand jury is expected to meet Wednesday. The preliminary

charges, sometimes referred to as "holding charges," reportedly serve to keep the suspect in custody or under high bail for about one week while the investigation continues.

He must be charged or indicted before the expiration of the time allowed on preliminary charges or be released, according to authorities who noted that once formal murder charges or indictment are preferred against a suspect, no bail is available in Indiana.

The search for the weapon, as of Monday, still had not turned up a long, fixed-blade knife believed to have been used. Efforts to find the instrument included dragging operations Sunday in the Wabash River at the Clinton bridge.

Community Affairs File

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Benjamin Woody Sentencing Set In Blackford County Oct. 25

SEP 30 1976

Crime & Criminal (Ind)

OCT 05 1976

By HOWARD STEVENS
Tribune State Editor

HARTFORD CITY, Ind. — Benjamin Paul Woody, 27, Montezuma — confessed slayer of a young school teacher and her son Jan. 10 — faces sentencing in Blackford Circuit Court Oct. 25 after pleading guilty Wednesday to reduced charges of second degree murder.

Woody, who was wounded in Vietnam, is likely to receive the maximum sentence of life imprisonment that comes with a second degree murder charge. He faced a possible death penalty before pleading guilty to the lesser charges.

Last month, Donald 'Chet' Norton, the woman's husband, was found guilty of hiring Woody to commit the murders. Norton has been sentenced to die in the electric chair two days after Christmas.

Attorneys hammered out the bargaining arrangement as jurors were being interviewed to serve in the trial. Judge Bruce Bade had summoned 100 jurors to hear evidence in the spectacular murder-for-hire case which shocked west-central Indiana residents.

Woody, father of two sons, had pleaded

not guilty by reason of temporary insanity. But, in Wednesday's proceedings, it was revealed that four psychiatrists who examined him during the last nine months determined he was sane.

Parke County Prosecutor Clelland Hanner said Thursday that he was satisfied with the plea agreement. Hanner indicated that Norton was the one who 'pushed the button' leading to the deaths of his wife, Christine, 26, and his 4-year-old son, Brett.

Earlier, Woody testified in Norton's trial at Fowler, Ind., describing how he had, on an impulse, entered the Norton home at Rockville and stabbed the young school teacher repeatedly with a knife provided by Norton. When the son entered the room, Woody said he stabbed him at least four times.

Woody told the court that Norton promised him \$50,000 of more than \$600,000 insurance he carried on the pair. He testified that the murders were planned months before the slayings and that Norton engineered the plan.

Donald Gibson, of Veedersburg, Woody's court-appointed attorney, indicated the guilty plea to second degree murder was the best possible outcome Woody could hope for. Gibson noted that the agreement was reached solely by attorneys involved in the case and that the court took no part in the negotiations.

Norton, a one-time insurance salesman, is appealing his conviction. He is now one of eight men confined on Death Row at Michigan City.

The last man to die in the electric chair in Indiana was Richard Kiefer who was strapped into the chair May 15, 1951.

REFERENCE
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Woody, Norton Facing Parke First Degree Murder Charges

By HOWARD STEVENS
Tribune State Editor

ROCKVILLE, Ind. — Donald Keith (Chet) Norton, 26, Rockville, and Benjamin Paul Woody, 27, Montezuma, have been indicted for the stabbing deaths of Norton's school teacher wife and young son.

The first degree murder indictments were handed down late Wednesday by a Parke County grand jury meeting in the court of Circuit Court Judge Earl Dowd. Woody surrendered to authorities last Saturday while Norton was arrested late Tuesday near Crawfordsville while driving to his parents' home at Lebanon.

Clelland Hanner, Parke County prosecutor, who announced the indictments Thursday, also confirmed that Norton, who once sold insurance, carried \$600,000 life insurance on the lives of his wife and son. Hanner said 10-12 persons testified during the day-long grand jury session.

Hanner said he expected the pair to be formally arraigned Thursday. He indicated that he also expected them to retain counsel or have counsel appointed by the court.

Victims of the slayings were Christine Ann Norton, 26, and her son, Brett, 4. The bodies were found Jan. 10 in beds at their home less than two blocks from the county jail.

Hanner indicated that a search for the murder weapon, now believed to be a hunting knife, is continuing. He described the state's case against the pair as "sealed."

Norton had been working as a cookware salesman. He was frequently on the road selling his company's products.

Woody, a Vietnam veteran, is unemployed. He is the father of two children and a 1967 graduate of Montezuma High School.

Authorities believe the child was killed after he was awakened and saw his mother's murderer. The youngster was stabbed at least three times, the knife blade puncturing both lungs and heart.

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Judge Names Veedersburg Attorney To Defend Woody

8 JAN 24 1976

ROCKVILLE, Ind. (Special) — Donald Gibson, attorney at Veedersburg, has been named to defend Benjamin Paul Woody, one of two suspects in the stabbing deaths murder trial to be heard here.

Judge Earl Dowd named the Veedersburg man after Woody said he could not afford to hire an attorney to defend him in the case.

Donald Keith Norton, the other suspect who has been indicted in the case, claims he will hire his own attorney to

defend him, but no one had put in an appearance as of court closing time Friday, the Judge said.

Meanwhile police and conservation officers are searching in the Wabash River near Montezuma for a hunting knife believed to have been used in the slayings. Magnetic equipment from Terre Haute was used Thursday and on Friday an Indianapolis firm sent several powerful magnets which the officers were using during the afternoon.

Search is now centered in the river in front of some fishing cabins located on the bank about two miles north of the river bridge where U.S. Highway 36 crosses. It has been reported that Norton and Woody and several friends have spent time recently at the cabins.

Woody, an unemployed construction worker, lives in Montezuma and is married and the father of two children.

Norton, who was arrested near Crawfordsville this week after a Parke County Grand Jury returned an indictment on him, was en route to the home of his parents in Lebanon when officers stopped him.

Prosecutor Clelland Hanner, who has been close to the case since Norton called the police to report that his wife and 4-year-old son had been stabbed, has been reported as saying the state has a good case, even without the weapon.

Both Woody and Norton have been charged with first degree murder. Norton and his wife, Christine and their four-year-old son had gone to Clinton Friday night, Jan. 9, for supper. After their return home Norton told police he had left Rockville and gone to Montezuma where he spent the evening in a tavern and in a poker game. He returned home about 4 a.m. to discover the back door of the home open and his wife and son in the house dead.

Sheriff Gary Cooper, who investigated the incident along with Rockville city police and state police, has said it was one of the most brutal slayings he had ever seen. Coroner Franklin Swaim, who was on the scene, has been quoted recently as saying that the stab wounds in both victims hit vital organs. An autopsy was performed on each body at Terre Haute's Union Hospital.

Woody surrendered to authorities last Sunday and is said to have indicated he thought his own life might be in danger.

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PLEADS NOT GUILTY. Benjamin Woody of Montezuma (center, in shirt sleeves) was flanked by police officers when he appeared in Parke Circuit Court Friday, February 13, to complete

arraignment proceedings, prior to actual trial. Woody is charged with two counts of first degree murder in the stabbing deaths of Christine and Bret Norton on January 10.

Woody Enters 'Not Guilty' Pleas

Benjamin P. Woody, 27, Montezuma, entered not guilty pleas in Parke Circuit Court Friday, February 13, to charges of the stabbing deaths of Christine Norton and her four-year-old son Bret on January 10 in Rockville. Woody was arrested and charged with first degree murder on January 17.

Donald K. "Chet" Norton was originally to have appeared to enter a plea to the same charges, but received an extension of time since his attorney was out of the state. Norton's arraignment has now been set for February 24.

Both men were indicted on two counts each of first degree murder by a Parke County grand jury on January 21. Included in the charge is that of "murder for hire". That charge is one of the few in Indiana that can carry the death penalty and Clelland Hanner, Parke County prosecutor, has indicated he will ask that penalty for both men.

Woody was brought to the courthouse from the Clay County jail at Brazil where he was transferred for "safekeeping" at the request of his attorney, Donald Gibson of Veedersburg.

In addition to entering not guilty pleas to both counts, three motions were submitted to court Judge Earl Dowd on Woody's behalf.

The defense asked that a reporter be hired to take

depositions for the defense at the county's expense. That motion was granted by Judge Dowd. There was also a motion to suppress discovery by the state, reported to be a request by the prosecution to access to a blood sample of Woody's which was obtained by his attorney. Judge Dowd also granted that motion, preventing the state from the defense's blood sample results.

The third motion was to reconsider the safekeeping order and bring Woody back to the Parke County jail, at his request. Judge Dowd has not yet acted upon that motion.

In other action, it was learned that the court has appointed Dr. Gerald Johnston and Dr. Morris Imperial of the Katherine

(Continued On Page Three)

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over

✓ Woody

(Continued From Page One)

Hamilton Mental Health Center to conduct a mental examination of Woody. This had been previously requested by the defense attorney.

Judge Dowd set 9:30 a.m. on April 12 for Woody's trial in Parke Circuit Court. That trial will probably never materialize however as Gibson said he would request a change of venue before that date, which will almost certainly be granted by the court. Gibson has not said where he will try to have the trial moved.

Following completion of arraignment, which took but just a few minutes, Woody was returned to Clay County. Norton remains in the Parke County jail.

A reported \$600,000 worth of insurance is rumored to be the motive for the murder of the 26-year-old school teacher and her son who were the wife and son of Norton, now also charged with their murders. Area police officers worked on an around-the-clock schedule prior to the arrests.

The murder weapon, believed to be a long-bladed knife, has not yet been found. Woody, according to reports, told authorities he

threw it into the Wabash River near Montezuma. Several searches were made, but the effort was abandoned after Sheriff Gary Cooper said "it was like looking for a needle in a haystack."

Woody: 'Hired To Murder Norton's Wife And Child'

Crime and Criminals (N.H.) S AUG 13 1976

FOWLER, Ind. (AP) — A Montezuma, Ind., man testified Thursday in Benton Circuit Court that Donald Norton, 26, of Rockville hired him to murder Norton's wife and child. Norton's 26-year-old wife Christine, and the couple's four-year son were found stabbed to death in January

Ben Woody told a jury of six-men and six-women Norton approached him to commit the murder. Woody testified that Norton said his son was dying of leukemia and his wife would possible die afterwards from a broken heart.

Woody pleaded innocent to first-degree murder charges for the killings he said Norton hired him to commit. He will stand trial in September in Blackford Circuit Court.

The prosecution contends the death's of Norton's wife and child are linked to a \$600,000 life insurance policy on them. The policy was issued shortly before their deaths.

Judge R. Perry Shipman said Woody would be back on the witness stand Friday morning for defense cross-examination.

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Murder For Hire *Ind. Co. Parke* Defendant Says *Crimes Criminals (T.H.)* He Stabbed Pair T AUG 13 1976

FOWLER, Ind. (AP) — A Montezuma, Ind., man testified Thursday in Benton Circuit Court that Donald Norton, 26, of Rockville hired him to murder Norton's wife and child. Norton's 26-year-old wife Christine, and the couple's four-year son were found stabbed to death in January.

Ben Woody told a jury of six men and six women Norton approached him to commit the murder. Woody testified that Norton said his son was dying of leukemia and his wife would possibly die afterwards from a broken heart.

Woody pleaded innocent to first-degree murder charges for the killings he said Norton hired him to commit. He will stand trial in September in Blackford Circuit Court.

The prosecution contends the death's of Norton's wife and child are linked to a \$600,000 life insurance policy on them. The policy was issued shortly before their deaths.

In testimony to the court, Woody said Norton offered him

\$57,000 to murder his wife and son. He also asked Woody to rape his wife and take some of his guns to make it look like an intruder had entered the house.

Woody, who cried during part of his testimony, said he entered the Norton home using a key supplied him by the defendant.

"The door squeaked so I called: 'Christine.' No one answered so I entered the house," he said.

Woody said the woman moved in her bed and asked: "Is that you Chet?"

"I plunged the knife into her body I did the same with the youngster," he told the court.

Woody said he carried out the assignment after Norton threatened his own wife and child.

"It was a terrible thing to do," he cried.

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Woody's Double Murder Trial

At Hartford City Sept. 7

5 AUG 26 1976

MONTEZUMA Ind (Special) — Benjamin Paul Woody 27 Montezuma will go on trial in Blackford County Circuit Court September 7 for the double murder of Christine Norton, 26, Rockville and her 4-year-old son, Brett last January 10 Mrs. Norton was an elementary teacher at Montezuma

The Woody trial has been sent to Hartford City on a change of venue from Parke County

Woody had confessed the double murder and appeared as a prosecution witness in the murder-for-hire trial of Donald "Chet" Norris husband and father of the two murdered victims Norton was found guilty in Judge R. Perry Shipman's Benton Circuit Court, Fowler, and awaits sentencing after a session with the state police psychiatric board He could be sentenced to death in the electric chair

Woody claims he performed the murders after Norton

promised to give him half of a large insurance sum of money he was anticipating He also claimed he was motivated by fear that Norton had mafia connections and that his own wife and children would be killed if he did not carry out the Norton request

Prosecutor Clelland Hanner, Rockville, and his assistant, John Dowd are preparing the Woody case and will go to Hartford City to open the trial on Sept 7

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Woody Trial Delayed

*Crime & Criminals
(2nd)*

S AUG 31 1976

HARTFORD CITY, Ind (Special) — A postponement in the murder trial of Benjamin Paul Woody, 27, of Montezuma, has been granted.

Woody's trial was moved to Blackford Circuit Court on a change of venue from Parke County. The original trial date of Sept. 7 was moved to Sept. 29. The change was made to allow time for psychiatric examinations.

Woody is charged with the stabbing deaths Jan. 9 of Christine Norton, 26, and her 4-year-old son, Brett, in their Rockville home.

The Montezuma man was charged with being hired by Donald Norton, husband of the slain woman, to commit the murders. Norton was convicted on murder charges last Monday.

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Community Affairs File

Woody Faces Sentencing In Rockville Slayings

Community Affairs File

OCT 25 1978

Crimes + Criminals, Ind

HARTFORD CITY, Ind. (Special) — Sentencing of Benjamin P. Woody, Montezuma, who is charged in connection with the double murder of Christine Norton and her son of Rockville, was expected to take place at 4 p.m. on Monday, Oct. 25, in Blackford Circuit Court.

The Nortons were stabbed to death in their home near Rockville on Jan. 10.

Woody had originally pleaded not guilty by reason of temporary insanity to charges of murder.

After a plea bargaining session, the plea was changed to guilty to two counts of second-degree murder with the recommendation of a sentence of life imprisonment.

Because of the plea bargaining, it was expected that Woody would be sentenced to life imprisonment by the Hartford City judge, who has heard the case on a change of venue.

Donald K. "Chet" Norton, Rockville, husband and father of the murder victims, has been sentenced to die in the electric chair at Michigan City on Dec. 27 for his alleged part in the crime.

Woody claimed that he was hired by Norton to kill the woman and her son.

Norton's trial was conducted at Fowler and Benton Circuit Court Judge Perry Shipman passed the death sentence after a jury had found Norton guilty.

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Community Affairs File

Woody Says He Is Guilty

Rockville Republican 10-4-76

Crimes & Criminals I n c

Benjamin Paul Woody of Montezuma, self confessed murderer of Christine and Bret Norton in Rockville on January 10, plea bargained on the opening day of his trial and then pled guilty to two counts of second degree murder.

Woody's trial was to have begun at 9:30 a.m. Wednesday morning in Blackford Circuit Court at Hartford City. Woody's plea at that time was not guilty by reason of temporary insanity. The prosecution had vowed to prove first degree, murder for hire, for which the mandatory penalty is death by electrocution. All of the evidence from the Norton trial - the bloody bedclothes, the items used in the slayings, and the photographs of the death scene - were at Hartford City for the prosecution's case.

Judge Bruce Bade (pronounced Body) had impaneled 125 jurors from which the panel of 12 would be selected. About 105 jurors were at the courthouse Wednesday morning for the selection process. The proceedings began with dismissing eight jurors for statutory reasons. Five were over 65 years of age and not required to serve, two were volunteer firemen and one was let go for medical reasons.

About 11 a.m. the jurors were dismissed for lunch and told to return at 1 p.m. About 1:45 p.m., when it was evident that plea bargaining was reaching the agreement stage, Judge Bode dismissed the prospective jurors, telling them there was slight chance of them being called for the trial. He instructed them to listen to the Hartford City radio station Wednesday night to find out for certain if there would be a trial.

Negotiations between the defense and prosecution actually started that morning and went on for around three hours. They resumed after an hour break for lunch and the agreement to a plea bargaining arrangement came about 1:45 p.m.

Plea bargaining is an opportunity for a defendant to plead guilty to a lesser charge than the one he was originally charged with for a variety of reasons. In Woody's case, the agreement was apparently made because of his cooperation in testifying at the "Chet" Norton trial. There are many who theorize that Norton would never have been convicted of having his wife and son murdered if Woody had not taken the stand and "told all." Woody said he killed the Nortons under the influence of Norton, who wanted to collect the \$604,000 insurance on the victims.

Originally, Woody had pled not guilty to the murder charge. After the Norton trial he changed that plea to not guilty by reason of temporary insanity. Donald Gibson, Woody's court appointed attorney, said he felt there was small chance to prove that Woody

was not in his right mind at the time.

Two psychiatrists at Katherine Hamilton Mental Health Center at Terre Haute examined Woody at the order of Parke Circuit Court Judge Earl Dowd a few weeks after the crime and said he was competent to stand trial, that he would fully understand the trial procedure and know the consequences of actions at that trial.

Judge Bade also appointed two psychiatrists to examine Woody last month, John L. Yarling of Muncie, a private practitioner, and Jaivanlal P. Gohil of Marion, medical director of the Grant-Blackford Mental Health Center. In their reports, they both said they found that Woody was not insane, was not insane at the time he killed the Nortons and is sane now. They added that he was not in need of psychiatric help.

Facing this evidence is apparently what made the defense decide to plea bargain. The prosecutor's office said there had been no talk of plea bargaining prior to the Norton trial. About two weeks ago, they did offer to prosecute for two counts of second degree murder, mainly because Woody did help them to convict Norton. The prosecution normally has the right to set the charge for trial. A judge can refuse to accept the charge of the prosecution, but it rarely happens.

The prosecution offer was refused by the defense however. They wanted to have Woody charged with one count of second degree murder and one count which would bring a 15 to 25 year sentence. Judge Bade told one newspaper reporter at the trial that such a bargain would, in his mind, indicate that one murder was less malicious than the other.

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The prosecution said they agreed to charge Woody with second degree murder based on the fact that there would be two life sentences handed down.

First degree murder is purposely killing another human being with malice and premeditation or prior planning. Second degree is killing with malice and on purpose, but not planning it in advance. Hanner commented that although he felt there was premeditation on Woody's part in the Norton killings, he was willing to go along with the reduced charge in exchange for Woody's cooperation.

Judge Bade said he would probably sentence Woody to life imprisonment unless the presentencing investigation showed strong reasons to do otherwise. He added that that would be a slim possibility.

With the plea bargaining agreed upon, the case then returned to open court. In the meantime, Judge Bade had Woody read the 350 page transcript of his testimony at the Norton trial and his confession to see if it was correct. Woody said it was.

It was agreed that Woody's testimony and confession was sufficient grounds on which to charge him with second degree murder. Plea bargaining arguments were presented to the judge as part of the record and Woody then pled guilty to two counts of second degree murder.

The judge accepted the plea

and set sentencing for Monday, October 25, at 4 p.m.

During the hearing, Indiana State Police officer Jerry Stateler testified, as did ISP Detective Lloyd Heck, that there had been a murder, as the prosecution was required to present enough evidence that there had been a crime actually committed. Stateler testified that he had seen and identified the bodies, where the killings had taken place and the cause of death. Heck testified to basically the same things, adding that he was present at the autopsy in Terre Haute.

The prosecution introduced the testimony of Woody from the Norton trial and his confession to Indiana State Police officers, admitting to stabbing the Nortons to death and implicating the husband and father of the victims in the crime.

The prosecution attempted to enter into evidence five photographs of the death scene. The defense objected, saying the photos were prejudicial and "not the best evidence of the cause of death." Judge Bade sustained the objection and would not allow the photos to be entered.

Under questioning by the defense, both Stateler and Heck said that Woody had surrendered to authorities, had confessed to the crime, had led State Police to the evidence and testified voluntarily at Norton's trial for the prosecution. Asked if Woody's general attitude was one of cooperation, both State Police officers said it was.

Also admitted into evidence was the autopsy report of Dr. Jack Weinbaum, a pathologist at Union Hospital.

Woody was advised of his rights and asked if he fully understood the action being taken. He said he did. He also testified that he thought the plea

bargaining agreement was fair, that his testimony at the Norton trial and confession was accurate, and that he was satisfied with his legal counsel. He also admitted that he was sane at the time of the murders.

If Woody does get a life sentence from Judge Bade on October 25, he would be eligible for a clemency hearing in ten years under Indiana law, but must serve ten years before the subject can even be brought up.

At the end of ten years (1986), Woody would go before the State Clemency Board. They could then recommend to the governor that the life sentence be commuted, or ended. The governor could then end the life sentence and set a definite number of years to be served for the crime. When that new sentence began, Woody then would be eligible for parole after serving a set number of additional years. However, the Clemency Board also has the option of rejecting clemency in which case it would not be brought to the governor's desk.

There is the possibility, admittedly a slim one, that Judge Bade could sentence Woody not to life but to 15 to 25 years, allowed under a second degree murder conviction. In that case, Woody could go before a parole board after serving ten years and ask for parole.

In either instance, the two boards would not only review his conduct as a prisoner, but also review the facts of the case and the type of crime he had committed.

Woody was visibly shaken during the court proceedings. He spoke softly when he told the judge of his intention to plead guilty. His father Paul, of Danville, Illinois, sat next to him

(Continued On Page Three)

Judge Sentences Woody to Life In Prison

HARTFORD CITY, Ind. (Special) — Benjamin Paul Woody, 27, Montezuma, Ind., was handed two life sentences Monday in Blackford Circuit Court for two counts of second degree murder.

Woody, who pleaded guilty to the reduced charges here Sept. 29, was unemotional and sat motionless as Circuit Court Judge Bruce C. Bade pronounced the sentence on the admitted murdered of Mrs. Christine Norton and her 4-year-old son, both of Rockville.

The Nortons were stabbed to death in their home Jan. 9. Donald R. "Chet" Norton, the woman's husband, was found guilty of hiring Woody to commit the murders and was sentenced in Benton Circuit Court to die in the electric chair Dec. 27.

As Bade announced the sentence at the session that began at 4 p.m. Monday, he gave a strong statement that indicated he might have preferred the death penalty. "Had the state's death penalty not been held unconstitutional, this might be a different case altogether. I believe you are beyond rehabilitation and therefore this court sentences you to life imprisonment on both counts," the judge said.

"We will recommend no release at any time. You probably are aware that you can file for clemency in 10 years, but this court and the prosecuting attorney will get a notice that you filed such a request. I will do everything in my power to be sure you are not released. You have humiliated and embarrassed your family, not to mention the act you committed which caused untold hardship," the judge continued.

The court-appointed defense counsel, Donald Gibson of Veedersburg, had the confessed murderer read a poem composed shortly after his incarceration which showed an "obvious turn to spiritual need." Woody also told the judge he "found Christ" and would request to start a prison program "of tours to high schools to tell them that beer and drugs are harmful. This is my strongest desire. I've done something wrong and must do something for the people," the powerfully built defendant said.

But the judge told Woody he (Woody) "would be surprised how many convicted criminals go through the courts and how much religion they suddenly acquire. I'm not discounting the religion testimony you've made. I'm just simply not going to consider it. Nothing you could ever do would bring these people back. No amount of time you could serve would help this situation," the judge concluded.

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Woody Goes On Trial Wednesday

Crime & Criminals Club Rockville Republican 9-27-76

BY RICHARD HARNEY
PUBLISHER

This Wednesday, September 29, Benjamin Paul Woody moves from the witness stand to the defendant's table at Hartford City as he faces two counts of first degree, murder-for-hire, in the stabbing deaths of Christine and Bret Norton on January 10 in Rockville.

Last August 12 Woody began eight hours of testimony over a two day period at Benton Circuit Court at Fowler in which he testified that he stabbed the

Nortons to death at the insistence of Donald K. Norton, husband and father of the victims. Norton was convicted as the co-conspirator in the case and was sentenced to die in the electric chair at the Indiana State Prison two days after Christmas. That conviction was based largely on Woody's testimony.

It will be an unusual case in that Woody has admitted in open court that he was the killer.

Hearing the case will be Blackford Circuit Court Judge Bruce C. Bade (pronounced body). Judge Bade was named to the bench, in the 71st Judicial Circuit, by Gov. Otis Bowen in June of 1975 when the former judge retired suddenly. Bade is 33 years old and believed to be the youngest circuit court judge in Indiana. He is seeking re-election this November on the Republican ticket.

Woody will plead that he was temporarily insane at the time of the murders. If his court-appointed attorney, Donald Gibson of Veedersburg, is able to

proceedings.

Gibson had maintained for months that Woody would not plead temporary insanity, that he would plead not guilty.

Then on August 12, Woody appeared at the Fowler court as the chief witness for the prosecution in the Chet Norton trial. At that time, Woody was addressed by Gibson who asked his client if he knew that he didn't have to testify, didn't have to incriminate himself and would give up his right to remain silent. Woody answered yes to each question.

Gibson also asked Woody to state that he had made no bargains with the prosecution in exchange for his testimony and would expect no special treatment at his own trial. Parke County prosecutor Clelland Hanner has stated that he will seek the same penalty for Woody as he did Norton - death. It would have been possible for the prosecution to have reduced the charge on Woody from first degree, murder-for-hire, to second degree murder. For a guilty verdict of murder-for-hire the penalty is mandatory death under Indiana law. For second degree murder the penalty is life imprisonment.

Woody's change of pleadings was revealed at the trial in Fowler. On August 13, under cross examination by Norton's lawyers, Woody admitted that he would plead that he was temporarily insane at the time of the murder.

Although it would seem to many that a trial is not needed, since Woody said he murdered the Nortons, that is not the way the court system works. There are degrees of murder, and the jury must decide which applies in the Woody case. They will probably have the option of convicting him of first degree, murder for hire, which is murder premeditated with malice; second degree murder which is killing without premeditation; voluntary manslaughter, which is murder with malice; or involuntary manslaughter which is killing with no



JUDGE BRUCE C. BADE

convince the jury of that, it means that Woody would probably be turned over to the State Department of Public Health for possible commitment to a state mental institution. Any commitment could only come after another hearing on his sanity.

Two psychiatrists have completed their examination of Woody. Appointed to examine him was John L. Yarling of Muncie, a private practitioner, and Jaivanlal P. Gohil of Marion, medical director of the Grant-Blackford Mental Health Center. The results of those examinations have not been made public and will not be until during the trial itself.

Woody was also examined by two other psychiatrists at the Katherine Hamilton Mental Health Center in Terre Haute last February upon the order of Parke Circuit Court Judge Earl Dowd. At that time, Woody was judged competent enough to stand trial. That means, in the opinion of the psychiatrists, he is sane enough to know what was happening during a trial and of the consequences of those court

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premeditation and without malice. Or, they could return a verdict of not guilty by reason of temporary insanity.

Gibson said the temporary insanity plea means that Woody contends he was not in his right mind at the time of the crime. Gibson added that Woody will claim he was insane then only, acting under an irresistible impulse or not knowing right from wrong at the time. In addition, Woody will contend that even if he did know right from wrong, he couldn't control his behavior or resist the impulse, that it was "compelled behavior." Some theorize that the attempt to prove "compelled behavior" will come by showing Woody was abnormally frightened for his life and his family's because of Norton's threats.

(Continued On Page Three)

✓ Woody Trial

(Continued From Page One)

An interesting aspect of the trial may come if the defense tries to prove there was technically no premeditation in trying for a reduced second degree murder conviction instead of a mandatory death penalty under first degree murder. This has been done before when juries were convinced that although a killer went to the scene with premeditation, at some point before the act, it ended. Woody maintained at Fowler that he did not want to kill the Norton's. He said he hoped something would happen at the Norton home so that he wouldn't have to go through with the planned murders. He testified that when he arrived at the home at 213 North Virginia he could not at first tell if Mrs. Norton's car was in the garage and that he thought perhaps the husband had not driven it to Montezuma as planned and the plot had been called off. He also said that when he entered the house the door squeaked and he hoped that it would awaken Mrs. Norton and

he would be forced to flee.

If the defense works for a reduced charge, they would probably contend that although Woody went to the house to murder, which was premeditation, at some point inside the house, Woody decided not to go through with it, ending premeditation. Then, the defense could maintain, although he decided not to murder the two, he went temporarily insane when Mrs. Norton awoke and discovered him standing over the bed and he stabbed her, then the boy.

Woody was a 27-year-old unemployed construction worker at the time of the killings. He graduated from Montezuma High School in 1967. An army veteran, he served in Vietnam for five months, where he carried a grenade launcher. He received multiple wounds during that action. He also served in Germany. Woody is married and has two sons, one who is two, and the other is four, the same age as Bret Norton.

Woody, talking in low tones and choking back tears at times, related a bizarre sequence of events leading up to the double murders. He told of being approached by Norton around October of 1975 and said Norton asked him to murder his wife and son because the boy had leukemia and should be put out of his misery. The wife should be killed, Norton told Woody, because if Bret died of leukemia, Christine might commit suicide in her grief. Woody said he refused Norton's suggestion.

Then the Monday before the murders, on the way to Springfield, Woody said Norton again asked him to kill the two and at that time offered him \$57,000 of the insurance money and told him that he (Norton) was going to build a nightclub between Rockville and Montezuma and Woody could be the manager. When Woody again refused, Norton threatened him by saying something could happen to his own wife and sons if he didn't go through with the plan.

The murder plot began to unfold on Friday, January 9, when Norton and Woody went to Norton's home and Woody was shown how to gain entrance, where the two intended victims would be and instructed that he was to have sexual intercourse with Mrs. Norton to make the act look like a rape-murder.

Woody told of an almost unbelievable and elaborate plan. The two went to Indianapolis and rented a car, parked it at Terre Haute, and gathered equipment for the murder - a long bladed hunting knife, stocking cap, ski mask, fake glasses, coveralls, gloves, etc., all purchased early for a robbery of a high stakes poker game, a plan which was later abandoned.

It was to a hushed courtroom that Woody described the grim sequence of events. He told of how he went to the house, entered and stood over Christine Norton's bed. He hit her in the head with the butt of the knife to knock her out, put his hand over her mouth, said she awoke and stabbed her several times. She struggled, but it was fruitless as Woody had her pinned to the bed under heavy blankets and a bedspread. Evidence showed that the woman was stabbed four or five times in the chest and sustained other "defense" wounds as she fought for her life.

Woody, his voice cracking and tears rolling down his cheeks, then told the court how he next went to Bret's room and stabbed him three times, once plunging the knife completely through the boy's body, exiting in the back.

Woody said the night of

January 17, just one week after the murders, he could stand his guilt no more and called State Trooper Mike Eslinger and told him to "come and get me, I did it."

At the Parke County jail, Woody made a confession saying he was "high" on dope and went to the Norton home where he planned to rape Mrs. Norton. He claimed she awoke and he killed her. He said her screaming woke the boy up and he came into the bedroom where Woody killed him also.

Then on January 20, while returning from Indianapolis where he took a lie detector test, Woody made a second statement, the story which he now maintains is true. It involved Donald K. Norton as the mastermind behind the killings with \$604,000 worth of the life insurance as the principal motive. As a result of that second confession, Norton was arrested and charged with murder for hire on January 20.

Woody was indicted by the Parke County Grand Jury on January 21 on two counts of first degree murder. After arraignment in Parke Circuit Court,

Woody's trial was set for April 12. He was also moved to the Clay County jail at Brazil for safekeeping, while Norton remained in Parke County's jail, presumably to keep him and Norton apart. On February 23, Gibson requested and received a change of venue to get the trial out of Parke County. Blackford Circuit Court was selected from a list of seven possible trial sites and Judge Bade set the trial date for June 28. Woody was returned to the Parke County jail early in March after Norton was moved to Decatur County for his trial.

In an unusual act, the judge in Decatur County dismissed the indictment against Norton in May on technicalities and the local prosecution had to recharge him and set up a new trial. That trial date was then set for August 9 at Fowler.

Maintaining that it was desirable to hold Woody's trial after Norton had been tried, Woody's lawyer asked Judge Bade for a continuance. It was then that the September 7 date was set. Then last month another delay was granted to allow time for psychiatrists to examine

Woody and a new date set for September 29.

Woody said he confessed to the crime because he had "gone through a week of pure hell". He said everyone was saying that some maniac killed the Nortons. He said his wife was scared and cried at night and made him put new locks on the doors and windows.

The bitter irony of the whole story is that his wife, unknowingly, was locked in her house every night with the man she said she feared most - the man who viciously stabbed the two Nortons to death in their beds.

Woody Gets Life Imprisonment; Judge Vows To Fight Clemency

BY RICHARD E. HARNEY
PUBLISHER

Twenty-seven year old Benjamin Paul Woody was given a life prison sentence in Blackford County Circuit Court Monday afternoon, October 25, for the January 10 knife slayings of Christine and Bret Norton in Rockville.

The sentence was read to Woody about 4:40 p.m. by Judge Bruce Bade (pronounced Body), who at 33 years old, is believed to be the youngest circuit court judge in Indiana.

The sentencing followed a half hour plea by Woody's attorney, Donald Gibson of Veedersburg, for leniency. Gibson told the court that Woody had served honorably in Viet Nam, was under the domination of convicted co-conspirator Donald "Chet" Norton, the husband, had cooperated with police, and had acquired a belief in Christ. Gibson also had Woody read a poem he had written in the Clay County jail a few weeks after he turned himself in as the self-confessed killer of the Nortons.

Rather than have Woody standing at the defense table with his attorney, Judge Bade had him in the witness chair, directly in front of the judge's desk. He pronounced the sentence without emotion, speaking in clear tones, easily heard throughout the courtroom.

The judge said, "Mr. Woody, you would be surprised that of the number of people who are convicted or who turn themselves in, how many seem to acquire religion when previously they had none or very little. I am not discounting your newfound religion, but I have not considered it in the sentencing.

"You caused the death of two people. Nothing you could do will

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Woody (Center) Escorted From Courthouse To Begin Sentence

bring them back. No amount of time you may spend in prison could repay the injustice you have done. If I had felt there was the possibility that the death penalty was constitutional in Indiana, I would not have accepted your plea bargaining.

"I have read the testimony from the Norton trial and find that you are an amoral person, beyond rehabilitation.

"I sentence you to life imprisonment on two counts and recommend that you not be considered for release at any

time.

"As you know, or your attorney has told you, you will be eligible to apply for clemency in ten years. If you do apply, the court will receive notice and I will do everything in my power to see that you are not released.

"You have obviously humiliated and embarrassed your family. I only hope the citizens of Parke County will show the same amount of compassion for them as they show contempt for you."

"I direct that you be taken

(Continued On Page Three)

**A MESSAGE FROM CHRIST THROUGH ME
BY BENJAMIN PAUL WOODY**

It was written in the beginning, from Moses to all men;
Believe in thy Lord, and thou shall not condemn.

For the people didn't listen, to the words that were wrote;
And many have sinned, so the Prophets now spoke.

To a virgin named Mary, of many she were chose;
Gave birth to a babe, from powers only God knows.

The only Son of thy Father, later known to be King;
Done great deeds for thy people, received not a thing.

Now foolish people hasten, for believing Christ to be false;
Crucified Lord Jesus, till there beat not a pulse.

Arose from the grave, Jesus hath done in three days;
For only one purpose, for which He still saves.

He opens the doors, the Kingdom of Heaven to all men;
Only those who disbelieve, that all they be condemned.

For little I knew, of the powers that only Christ may possess;
That I hide no longer, the love deep in my chest.

For this sin I committed, I wish that every one knows;
Was before I knew Jesus, and the love He bestows.

For I am guilty of this sin, so great that I may die;
My belief in thy Savior, I will join in the sky.

So listen ye well, to these words I wrote without skill;
Accept Christ as your Savior, before you kill.

Court Decision Could Affect Norton Death Penalty

Rockville Republican 4-11-77

The United States Supreme Court used a Florida death penalty case Tuesday, March 22, to warn all states with capital punishment laws that convicted murderers facing possible execution must be informed of all the facts used in determining their sentence.

The high court ruling could be used in the appeal of Donald "Chet" Norton who was found guilty last summer of first degree, murder-for-hire, in the stabbing deaths of his wife and young son. Norton was sentenced to death and was to have been electrocuted in December. That sentence was withheld until his appeal had been heard. He is now on "death row" at the Indiana State Prison in Michigan City.

A bill to revise the Indiana death penalty law is currently being debated by the General Assembly.

In a 7-1 decision, the Supreme Court set aside the death sentence of convicted murderer Daniel Wilbur Gardner of Homosassa, Florida. It ruled that Gardner's due process rights were violated when the sentencing judge withheld from the defendant and defense attorneys

some "confidential" information included in a report the judge studied before imposing the death sentence.

The majority opinion also noted that "it is of vital importance to the defendant and to the community that any decision to impose the death sentence be, and appear to be, based on reason rather than caprice or emotion."

The majority opinion also dismissed arguments by Florida officials that trial judges can be trusted to exercise discretion in a responsible manner even though they may base their decisions on secret information.

The Supreme Court's decision did not disturb Gardner's conviction for the 1973 beating death of his wife, Bertha Mae, but sent back to the Florida courts his case for the handing down of a new sentence.

Gardner could be sentenced to death again, but in the sentencing proceedings to come he will have to be given all information utilized by the courts pertaining to his case.

In an opinion adhered to by all the court's members except William H. Rehnquist, Justice John Paul Stevens said that

without "full disclosure," Florida's death penalty law could not pass a constitutionality test.

Although joining in the due process part of Stevens' opinion, Justices William J. Brennan Jr.

and Thurgood Marshall disagreed with the court's returning the case to Florida.

Both justices consistently have voiced their opposition to the death penalty under any circum-

stances and said Gardner should not have to face the possibility of another death sentence.

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Estates Of Brett And Christine Norton Are Settled By District Judge S. Hugh Dillin

Three years and eight months after Christine Ann Norton and her son Brett were stabbed to death in their beds at their Rockville home, the insurance benefits on their lives has been ordered paid. The ruling to settle who received the money was made Wednesday, October 10, by United States District Court Judge S. Hugh Dillin.

It was \$604,000 worth of insurance on the pair that led to their violent deaths. The policies had been taken out through Prudential Insurance on their lives by Donald "Chet" Norton, husband and father of the victims. Norton was convicted of hiring Benjamin Woody of Montezuma to knife the mother and son while they slept so Norton could collect the insurance money.

In his ruling last Wednesday, Judge Dillin ordered that Jack S. Brown of Rockville, father of Christine and administrator of the estate, be paid the proceeds of two policies on her life, totaling \$576,235.32, the face amounts plus interest. He ordered that James R. Bunch, a Covington attorney and administrator of Brett Norton's estate, be paid the proceeds of two policies on the boy, totaling \$52,006.76, the face amounts plus interest. The two estates will pay from those amounts their pro-rated share of \$9,317.82 expenses incurred by Prudential in handling the case.

Christine Norton's full estate will go to her parents, Mr. and Mrs. Brown. Brett Norton's estate will be divided equally between the two sets of grandparents, the Browns and Mr. and Mrs. Keith Norton, parents of the convicted "Chet" Norton.

The four policies had a face value of \$604,000 and have earned \$33,559.90 interest from investing the money while the case was pending.

The case before Judge Dillin was unique in that the matter of which of the two victims died first could have had a substantial impact on deciding who received the insurance money.

Norton, who was listed as beneficiary on all four policies, could not collect the insurance money since he was convicted of murder for hire in getting Woody to kill the pair. Indiana law states that the beneficiary of a life insurance policy who intentionally and wrongfully causes the death of the insured forfeits all rights under the policy.

Norton had filed a claim for the insurance proceeds with Prudential on January 14, 1976, four days after his wife and son were murdered. Last week Judge Dillin ruled that Norton "has forfeited his rights in, and is precluded from taking or receiving any proceeds or benefits under said

four policies issued on the lives of Christine A. Norton, deceased, and Brett Norton, deceased. He should take nothing by his cross claim herein."

If it could have been proven that Christine Norton died first then Brett would have inherited her estate, if only for a matter of minutes or seconds. If that had been the case, then the insurance money would have passed into his

estate and gone to his heirs, probably both sets of grandparents, the Jack Browns of Rockville and the Keith Nortons of Lebanon. However, if it could have been proved that Brett died first, then Mrs. Norton's insurance money, plus Brett's, since she would have inherited it if even only momentarily, would have gone to her estate. Her heirs would have been the Jack Browns

and the Norton family would not have received anything.

Benjamin Woody testified before Judge Dillin as did the investigators of the murder scene. In the Norton trial in Fowler in August of 1976, Woody told the jury that he had gone to the Norton home January 10 as planned by Norton and stabbed

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Continued Story Norton

(Continued From Page One)

Christine with a hunting knife several times. He said he then went to Brett's bedroom and stabbed him. Dr. Jack Weinbaum, the pathologist who performed the autopsy, testified that the knife had penetrated Brett's heart in three places and there were four large stab wounds, three in the front and one in the back where the knife exited. He said Christine Norton had five major stab wounds on her chest.

Testimony from Dr. Weinbaum that Mrs. Norton probably bled to death from the stab wound to the pulmonary artery gave rise to speculation that she might not have died instantly but lingered a short time. The direct wound to the boy's heart led most to believe that he would have died instantly.

During three days of testimony in October of 1978 before Judge Dillin, Woody testified that after he had stabbed Mrs. Norton he "heard a gurgling and raspy sound, like she was gasping for breath." Woody also testified that after he stabbed the youngster he "heard no sounds."

Weinbaum also testified before Judge Dillin and said he believed under normal conditions the boy would have died first, since in his opinion, one of the stab wounds had penetrated the heart muscle causing immediate death.

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Dr. Max E. Goodwin, a physician from Jeffersonville, contradicted the pathologist however. Dr. Goodwin said, from looking at the autopsy reports, it appeared the woman may have died first. He reasoned that due to the severity of the stab wound to Mrs. Norton's chest, piercing the pulmonary valve of the heart, death would follow quickly.

However, Judge Dillin in his ruling said "the evidence is insufficient to establish with any degree of certainty whether Christine A. Norton or Brett C. Norton died first, or whether they died simultaneously; the evidence in this regard is evenly balanced."

In the insurance proceeds case, Jack Brown had the burden of proving that Christine survived Brett. Bunch had the burden to prove that Brett survived Christine. Mr. and Mrs. Keith Norton, who were allowed to be part of the case, had alleged that Brett survived Christine.

Norton had six insurance policies with Prudential. One was on Christine, a \$150,000 life policy with an additional \$300,000 for accidental death for a total of \$450,000. That policy was dated February 1, 1975. Another policy was a \$150,000 policy on Norton himself, taken out in April 15, 1975, but containing a decreasing term rider which also insured the life of Mrs. Norton in the amount of \$104,000. There was a policy dated February 25, 1975 on the life of Brett Norton with a face amount of \$10,000. A second policy of Brett, dated September 8, 1975, was for \$40,000. A fifth policy was on Norton's life only and the sixth was a disability income policy.

Ross Lock, manager of Prudential's Terre Haute office testified at Norton's trial that the combined premium on all the policies ran \$239 a month, which "was above average for an agent to have." Norton wrote the policies on Christine and Brett while he was a salesman for Prudential.

James Criminals (Ind)
Beneficiaries named by judge
OCT 11 1979

A federal court judge in Terre Haute Wednesday announced the father of a murdered Rockville woman is entitled to recover more than half a million dollars from life insurance policies.

Judge S. Hugh Dillin, in the Terre Haute Division of U.S. District Court ruled that Jack S. Brown, father of Christine A. Norton and James B. Bunch, a Covington attorney and administrator of the estate of Bret C. Norton, son of Mrs. Norton, who was also murdered some three years ago, will receive the proceeds from four life insurance policies.

Mrs. Norton and her four-year-old son were brutally stabbed to death in their home in January of 1976 by Benjamin Paul Woody. Woody is currently serving two life sentences for the murders.

The husband and father, Donald K. Norton, was convicted of hiring Woody to commit the murders. He has been sentenced to die in the electric chair and is currently on death row at Michigan City.

In his ruling, Dillin said that Brown and Bunch will administer the funds for the respective estates.

Rockville attorney Clelland Hanner, who prosecuted both Norton and Woody, represented Mrs. Norton's parents.

According to Hanner, all of the funds except \$52,006.76 will go to Mrs. Norton's estate and ultimately to her

heirs, while Bret Norton's money will go to his estate and be distributed to his heirs.

The civil action to determine recipients of the life insurance policies concluded in federal court nearly a year ago. Dillin took the matter under advisement, and according sources withheld a ruling pending the outcome of Norton's appeal on his conviction of the two murders. No decision on Norton's appeal has been rendered as yet, Hanner said.

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U.S. Court here decides who's to get \$604,000 in murder-for-hire plot

OCT 17 1978

A civil hearing to determine who is entitled to \$604,000 in insurance payments as a result of a murder-for-hire scheme over two years ago in Parke County continued Tuesday in the Terre Haute division of U.S. District Court.

The interpleader action was made by the grandparents of a child killed during an attack ordered by Donald "Chet" Norton against his wife, Cristine, on Jan. 10, 1976. Mrs. Norton was also murdered in the stabbings at Rockville.

The money, according to court sources, is part of the estates of Mrs. Norton and her son, Bret, who were stabbed to death by confessed murderer Benjamin Paul Woody. Woody confessed he was hired by the victims' husband and father to commit the double murder.

Dr. Jack Weinbaum, a Terre Haute pathologist, Tuesday morning testified that "he was unable to determine which of the victims died first."

During his testimony, Weinbaum, who performed autopsies on both victims, said there is no medical test available to determine the exact minute of death.

"Since both (the victims) died within a short period of time," Weinbaum said, "I cannot tell who expired first. The boys' wounds appeared to be more of a fatal nature than those of his mother."

Judge S. Hugh Dillin must decide, if possible, whether Mrs. Norton or her son died first. His ruling, if possible, will determine what party in the case will receive the proceeds from a \$550,000 life insurance policy purchased on Mrs. Norton by her husband and a \$50,000 life insurance policy purchased on the son, who was four years old at the time he was fatally stabbed. Both insurance policies have been drawing interest at six percent since the murders.

The Prudential Life Insurance Company, which Norton was employed with at the time he purchased the policies, has posted the \$600,000 plus interest with the court, freeing itself of all liability.

Parke County Prosecutor Clelland Hanner, who prosecuted both Norton and Woody, is representing Mrs. Norton's parents, Mr. and Mrs. Jack Brown.

A ruling by the court that the child died first would mean the face amount of the insurance policies would go to Mrs. Norton's parents. But a ruling that Mrs. Norton was killed first would mean the Browns and Mr. and Mrs. Keith Norton, the child's grandparents, would share the money equally.

If the court is unable to determine which person died first, the Browns would receive \$550,000 and the Nortons would receive \$50,000.

Both Norton and Woody appeared in court Monday under heavy guard by federal marshals.

Woody was called to the witness stand and described in detail circumstances surrounding the fatal stabbings.

Woody testified that he and Norton planned the murders in order to collect the insurance money.

Woody told the court, "Norton asked me if I would kill his wife and child for some of the insurance money and I said yes."

According to testimony, Woody said he entered the Norton residence and went into Mrs. Norton's bedroom where he stood and watched her sleeping for five to 10 minutes. He said Mrs. Norton woke up and said, "Chet is that you?" When there was no answer she began to scream.

"I tried to knock her out with the butt of the knife, but she continued yelling. That's when I stabbed her. I continued stabbing her until she stopped screaming. Then I went to the foot of the bed where I stood and listened to the sound of blood and air rushing out of her body," Woody told the court.

Woody said he then entered the youngster's bedroom and just stood there "crying and shaking all over."

The boy, Woody continued, was sleeping on his side in the bed. "I reached into the bed, rolled him over; he woke up, grabbed my arm and began to cry and scream. That's when I began to stab him. It took four stabs for him to quit screaming. After that I ran out of the house," Woody said.

Woody told the court that he committed the murders because he feared that Norton would kill Mrs. Woody and the couple's children.

Norton was convicted of the murder-for-hire scheme and sentenced to die in the electric chair, but courts have delayed execution.

Woody entered into a plea-bargain agreement and testified against Norton. He is currently serving two life sentences.

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Crime & Criminals (Ind.)

Murder-for-hire insurance case trial continues

OCT 18 1978

A court trial in the Terre Haute Division of U.S. District Court to determine who will collect more than \$604,000 in insurance money from the estates of two Parke County residents who were murdered-for-hire in 1976 continued Wednesday before Judge S. Hugh Dillin.

Dr. John Pless, a Bloomington, Ind., forensic pathologist, Wednesday testified that from medical evidence he could not determine which victim died first.

Another witness, Dr. Frank Swalm, Parke County coroner, told the court he was of the opinion that Mrs. Norton preceded her son, Bret, in death.

During his testimony, Swalm admitted the Norton murders were the first homicides he ever investigated since becoming coroner.

Testimony Tuesday included a Terre Haute pathologist, Dr. Jack Weinbaum, and a friend of Donald "Chet" Norton.

The estates of the two victims, Christine Norton and her son, Bret Norton, are valued at a combined total of \$604,000 as well as two year's worth of interest added to that figure. Parke County Prosecutor Clelland J. Hanner represents Christine's parents, Mr. and Mrs. Jack Brown.

Weinbaum testified in regards to the cause of death of both victims. In his testimony, he could determine how both the woman and child died, but not the time and order in which they expired.

Weinbaum testified that Bret and Christine died as a result of multiple stab wounds to the heart and lungs, but was unable to determine who died first.

According to Weinbaum, who was speculating at the time, he believed under normal conditions the boy would have died first. He based his opinion on the fact one of the stab wounds had penetrated through the heart muscle, causing immediate death.

During the cross-examination period by Chet Norton's attorney, Max E. Goodwin, a different view was displayed.

Goodwin called a general

physician from Jeffersonville to the stand, who contradicted Weinbaum's statement. He said, from looking at the autopsy reports of both victims, it appears the woman should have died first. He reasoned due to the severity of the stab wound to Christine's chest, piercing the pulmonary valve of the heart, death would follow quickly.

Prudential Life Insurance Company, which held the policies of the two victims, already has turned the insurance money over to the federal clerk's office until the trial has ended.

Judge Dillin must decide, if he can, who died first and who will receive the insurance money.

If the court decides Christine died first, then the \$554,000 insurance policy on her life would go to her estate and pass to her son, Bret, as her only survivor. That \$554,000 plus the additional \$50,000 taken out on Bret's life then would go to his estate when he died and could possibly be paid to both sets of grandparents as his survivors. Those survivors include both the Browns and the Nortons.

If the court rules, however, the child died first, the \$50,000 policy on his life would go to his estate and momentarily pass to his mother as the only survivor. From there the \$604,000 combined insurance total would go to Christine's surviving relatives, in this case, her parents.

A Rockville man, Steve Jones, a friend of Chet Norton, testified that Norton offered him \$50,000 to kill the man responsible for murdering Mrs. Norton and the couple's child.

Jones told the court that Norton asked him to kill Benjamin Woody, the confessed murderer for the \$50,000.

Woody is currently serving two life sentences for the murders after he turned state's evidence and testified Norton hired him to commit the murders.

Norton was sentenced to the electric chair upon conviction of the murder-for-hire plot, but his execution has been delayed by the courts.

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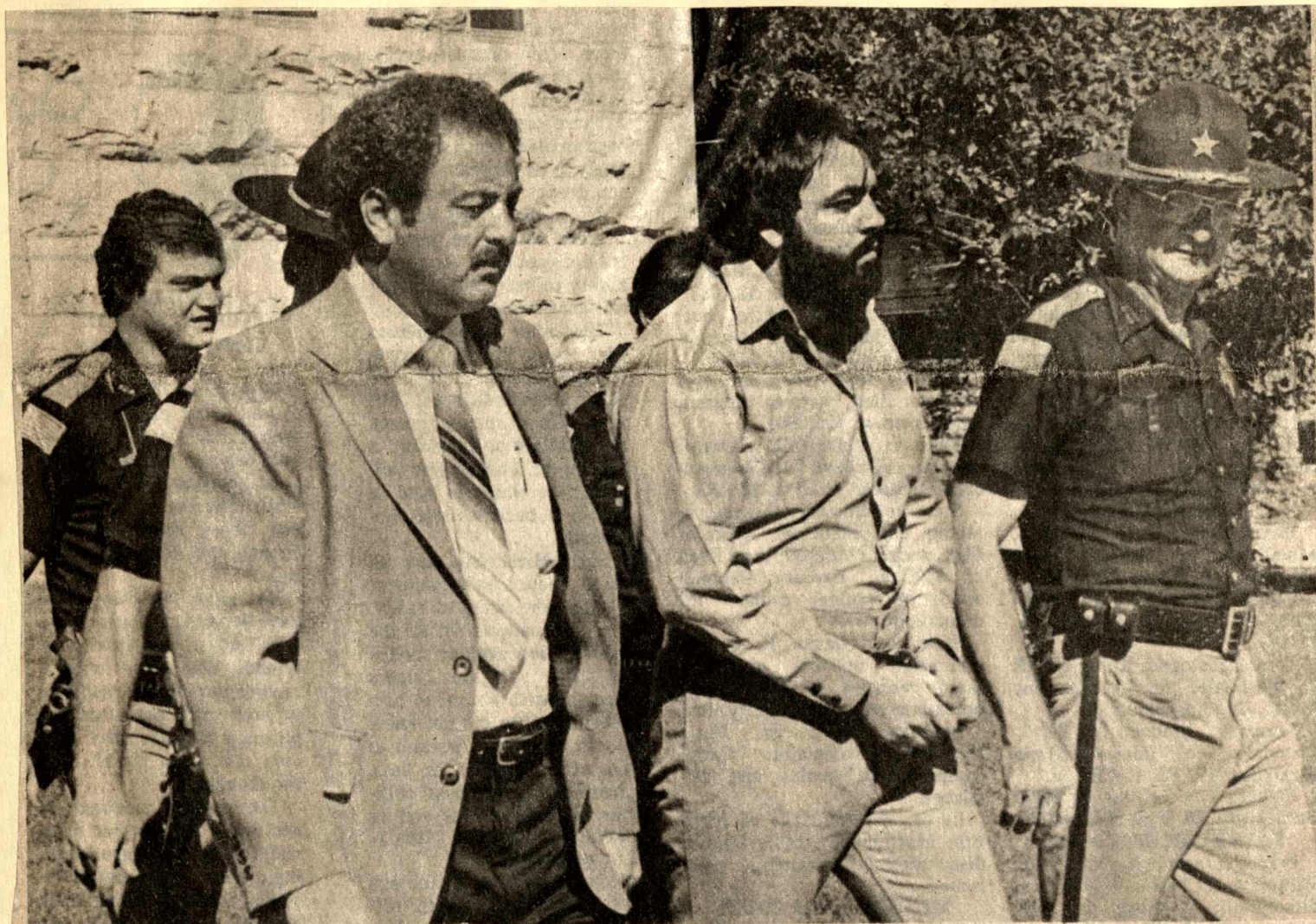
Crime & Criminals (LNU)
Parke Co. Sentinel
9-15-80



DEJECTED NORTON. Donald "Chet" Norton looked dejected after an appearance in Benton Circuit Court at Fowler Wednesday, September 10. Norton returned to the court to receive two life sentences in the murder-for-hire scheme in which he hired Benjamin Woody of Montezuma to kill his wife and four-year-old son for insurance money. At his original trial Norton received the death

sentence, but that was overturned this year on appeal to the Indiana Supreme Court. At the time of the original sentencing, Indiana's death penalty law had flaws which made it unconstitutional. Norton said he now intends to appeal the sentences he received last week and asked for a court-appointed attorney saying he could not afford to hire a lawyer. That request was granted by Judge R. Perry Shipman.

(over)



BACK TO COURT. "Chet" Norton (Center) was escorted to court without the fanfare and security of his original trial in 1976. He was escorted into the courtroom by Parke County Sheriff Mike Eslinger (Front, left) and Benton County Sheriff L. A. Wiemken (Front right).

Norton reportedly has gained about 40 pounds since being sent to the state prison at Michigan City and has just recovered from a leg injury received while playing football at the prison. (Photos courtesy of Brown Photo Service, Fowler, Indiana).

Court Action
May Decide
Beneficiary

Crime & Currents (Ind)

ROCKVILLE, Ind. — Parke County Prosecuting Attorney Clelland Hanner indicated Friday that some sort of court settlement is likely regarding insurance money involved in a double murder here Jan. 9.

Hanner made the statement after Ross Lock, manager of the district office of Prudential Insurance Company of America, Terre Haute, announced that a statement on the matter would be released by his office at 2 p.m. Friday. Lock was unavailable for comment prior to the expected statement.

The prosecuting attorney, who said he had talked with insurance officials on several occasions, said the policy amounting to \$604,000 plus interest, was taken out by Donald 'Chet' Norton on his wife, Christine, 26, and the couple's son, Brett, 4.

Norton, a one-time insurance salesman, was convicted of hiring Benjamin Paul Woody, 28, Montezuma, to kill his wife and son. Norton is scheduled to die in the electric chair two days after Christmas for his part in the slayings.

Woody testified about the plot during Norton's trial. Woody was subsequently sentenced to life in prison.

According to Hanner, parents of the condemned man and parents of the murder victims will probably be named parties to any court settlement. He said that under Indiana law, the beneficiary of a life insurance policy who intentionally and wrongfully causes the death of an insured party forfeits all rights under the policy.

Hanner said insurance representatives testified in court regarding both the amount of the insurance policy carried on the victims and the fact that it was not unusual for a salesman to insure members of his family. Hanner said he still regarded the amount of money as 'unusual.'

Woody testified that Norton promised him more than \$50,000 to commit the murders.

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